



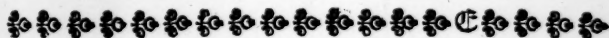
# CONSTITUTIONS AND CANONS

*Ecclesiasticall;*

Treated vpon by the Bishop of London,  
President of the Convocation for the  
Province of Canterbury, and the rest of the  
Bishops and Clergie of the  
said Province.

And agreed upon with the Kings Majesties license in  
their Synod begun at *London, Anno Dom. 1603.* And in  
the year of the Raigñ of our Sovereign Lord *James*  
by the Grace of God, King of *England, France,*  
and *Ireland* the first, and of  
*Scotland,* the 37.

*And now published for the due observation of them, by his  
Majesties Authority under the Great Seal of England.*



LONDON,

Printed by *John Norton,* for *Joyce Norton,* and *Richard  
Whitaker,* and are to be sold at their  
shop, at the Kings Arms in *Paul's*  
Church-yard. 1633.







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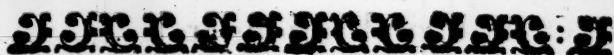
**J**AMES, by the Grace of  
 God, King of England, Scotland,  
 France and Ireland; Defender of the  
 Faith, &c. To all to whom these pre-  
 sents shall come, Greeting. Whereas our Bishops,  
 Deans of our Cathedral Churches, Archdeacons,  
 Chapter and Colledges, and the other Cleargie of  
 every Diocess within the Province of Canter-  
 bury, being summoned & called by vertue of our  
 writ directed to the most reverend father in God  
 John late Archbishop of Canterbury, and bea-  
 ring date the 31. day of January in the first year  
 of our Raigh of England, France, & Ireland, &

of Scotland the 7. to have appear'd before him in  
our Cathedrall Church of St. Paul in London the  
20 day of March then next ensuing, or elsewhere  
as he should have thought it most convenient, to  
treat, consent, and conclude upon certain difficult,  
and urgent affaires mentioned in the said Writ,  
did thereupon at the time appointed, and within  
the Cathedral Church of St. Paul aforesaid, as-  
semble themselves & appear in Convocation for  
that purpose, according to our said Writ before the  
right Reverend Father in God Rich. Bishop of  
London, duly (upon a second Writ of ours dated  
the 9 day of March aforesaid) authorized, appoin-  
ted & constituted by reason of the said Archbishop  
of Canterbury his death, President of the said  
convocation, to execute those things which by ver-  
tue of our first Writ did appertain to him the said  
Archbishop to have executed; if he had lived: We  
for divers urgent & weighty causes & considera-  
tions us thereunto especially moving, of our special  
grace, certaine knowledge, and meere motion did  
by virtue of our Prerogative Royall and supreme  
Authority in causes Ecclesiast. give & grant by  
our severall Letters Patents under our great Seal  
of England, the one dated the 2 day of Aprill  
last past, & the other the 25 day of Iune then next  
following, full, free, and lawfull libertie, licence,  
power,

power, and Authority unto the said Bishop of London President of the said Convocation, & to the other Bishops, Deans Archdeacons, Chapters & Coledges, & the rest of the Clergie before mention'd of the said Province, that they from time to time during our first Parliament now prorogued, might conferre, treat, debate, consider, consult and agree of, & upon such Canons, Orders, Ordinances & constitutions, as they should think necessary fit & convenient for the honour & service of Almighty God, the good and quiet of the Church, & the better government thereof, to be from time to time observed, performed, fulfilled, & kept as well by the Archbishops of Canterb. the Bishops & their Successors, & the rest of the whole Clergie of the said Province of Canterbury in their several Callings, Offices, Functions, Ministerys, degrees & administrations, as also by all & every Dean of the Arches, & other Judge of the said Archbishops Courts, Guardians of Spiritualities, Chancelors, Deans & Chapters, Archdeacons, Commisaries, Officials, Registers, & all & every other Ecclesiastical Officers, & their inferior Ministers whatsoever of the same Province of Canterb. in their & every of their distinct Courts, & in the order & maner of their & every of their proceedings, & by all other persons with-

within this realm, as far as lawfully being members of the Church, it may concern them, as in our said Letters Patents amongst other clauses more at large doth appear. Forasmuch as the said Bishop of London, President of the said Convocation, and others the said Bishops, Deans, Archdeacons, Chapters, and Colledges, with the rest of the Clergie, having met together at the time and place before mentioned, and then and there by vertue of our said authority granted unto them, treated of, concluded, and agreed upon certain Canons, Orders, Ordinances and Constitutions, to the end & purpose by us limited & prescribed unto them, and have thereupon offered and presented the same unto us, most humbly desiring us to give our royal assent unto their said Canons, Orders, Ordinances, and Constitutions, according to the form of a certain Statute or Act of Parliament made in that behalf in the ~~year~~ year of King Henry the eight, and by our said Prerogative Royal, and Supream Authority in causes Ecclesiastical, to ratifie by our Letters Patents under our great Seal of England, and to confirm the same: the Title and Tenour of them being word for word as ensuech.

Consti-



Constitutions and Canons Ecclesiastical, treated upon by the Bishop of London, President of the Convocation for the Province of *Canterbury*, and the rest of the Bishops and Clergie of the said Province; and agreed upon with the Kings Majesties License in their *Synod* begun at *London*, A. Dom. 1603.

*And in the Year of the Reign of our Sovereign Lord James, by the Grace of God, King of England, France and Ireland the first, and of Scotland the 37.*

## Of the Church of *England*.

### I.

*The Kings Supremacie over the Church of England, in causes Ecclesiastical, to be maintained.*



Our duty to the Kings most Excellent Majesty requireth, we first decree and ordain, that the Archbishop of *Canterbury*, ( from time to time, ) all Bishops of this Province, or Deans, Archdeacons, Parsons, Vicars, and all other Ecclesiastical persons, shall faithfully keep and observe, and ( as much as in them lieth ) shall cause to be observed and kept of others, all and singular Laws and Statutes made for the restoring to the Crown of this Kingdome, the ancient jurisdiction over the State Ecclesiastical, and abolishing of all foreign

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reign



## Constitutions and

raign power repugnant to the same. Furthermore, all Ecclesiastical persons having cure of soules, and all other Preachers, and Readers of Divinity Lectures, shall to the uttermost of their wit, knowledge and learning, purely and sincerely (without any colour or dissimulation) teach, manifest, open, and declare four times every year (at the least) in their Sermons and other Collations and Lectures, That all usurped and forraign power, (forasmuch as the same hath no establishment nor ground by the Law of God) is for most just causes taken away and abolished: and that therefore no manner of obedience, or subjection within his Majesties Realmes and Dominions, is due unto any such forraign power: but that the Kings power within his Realms of *England, Scotland, and Ireland*, and all other his Dominions and Countreys, is the highest power under God, to whom all men, as well inhabitants as born within the same; do by Gods Laws owe most loyalty and obedience, afore and above all other Power and Potentates in the earth.

### II.

*Impugners of the Kings Supremacy censured.*

**W**Hosoever shall hereafter affirm that the Kings Majesty hath not the same authority in causes Ecclesiastical that the godly Kings had amongst the Jewes, and Christian Emperors in the Primitive Church, or impeach in any part his regal Supremacy in the said causes restored to the Crown, and by the Lawes of this Realm therein established, let him be excommunicated *ipso facto*, and not restored but only by the Archbishop after his repentance  
and



## Canons Ecclesiastical:

and publick revocation of those his wicked errors.

### III.

*The Church of England a true and Apostolicall Church.*

W<sup>H</sup>osoever shall hereafter affirm, that the Church of *England* by Law established under the Kings Majesty, is not a true and an Apostolicall Church, teaching and maintaining the doctrine of the Apostles, let him be excommunicated *ipso facto*, and not restored, but onely by the Archbishop after his repentance and publick revocation of this his wicked error.

### IIII.

*Impugners of the publick worship of God established in the Church of England censured.*

W<sup>H</sup>osoever shall hereafter affirm that the form of Gods worship in the Church of *England*, established by the Law and contained in the Book of Common Prayer, and administration of Sacraments is a corrupt, superstitious, or unlawful worship of God, or containeth any thing in it that is repugnant to the Scriptures: let him be excommunicated *ipso facto*, and not restored but by the Bishop of the place, or Archbishop, after his repentance and publick revocation of such his wicked errors.

### V.

*Impugners of the Articles of Religion established in the Church of England censured.*

W<sup>H</sup>osoever shall hereafter affirm that any of the nine and thirty Articles agreed upon by the Archbishops, and Bishops of both Provinces, and the whole Cleargie in the Convocation holden at *London*, in the year of our Lord God,

## Constitutions and

one thousand five hundred sixtie two, for the avoiding of diversities of opinions, and for the establishing of consent touching true Religion; are in any part superstitious or erroneous, or such as he may not with a good conscience subscribe unto; let him be excommunicated *ipso facto*, and not restored; but only by the Archbishop, after his repentance and publick revocation of such his wicked errors.

### VI.

*Impugners of the Rites and Ceremonies established in the Church of England censured.*

**W**Hosoever shall hereafter affirm, that the Rites and Ceremonies of the Church of *Engl.* by Law established, are wicked, Antichristian, or superstitious, or such as being commanded by lawfull authority, men who are zealously and godly affected, may not with any good conscience approve them, use them, or as occasion requireth subscribe unto them, let him be excommunicated *ipso facto*, and not restored, untill he repent and publicly revoke such his wicked errors.

### VII.

*Impugners of the government of the Church of England by Archbishops, Bishops, &c. censured.*

**W**Hosoever shall hereafter affirm, that the government of the Church of *England* under his Majesty by Archbishops, Bishops, Deans, Archdeacons, and the rest that bear office in the same, is Antichristian or repugnant to the word of God: Let him be excommunicated *ipso facto*, and  
so

## Canons Ecclesiastical.

so continue untill he repent, and publickly revoke such his wicked errors.

### VIII.

*Impugners of the form of consecrating and ordering Archbishops, Bishops, &c. in the Church of England censured.*

**W**Hosoever shall hereafter affirm or teach, that the form and manner of making and consecrating Bishops, Priests or Deacons, containeth any thing in it that is repugnāt to the word of God, or that they who are made Bishops, Priests or Deacons in that form are not lawfully made, nor ought to be accounted either by themselves, or by others, to be truly either Bishops, Priests or Deacons, untill they have some other calling to those divine Offices; let them be excommunicated *ipso facto*, not to be restored untill he repent, and publickly revoke such his wicked errors.

### IX.

*Authors of schisms in the Church of England censured.*

**W**Hosoever shall hereafter separate themselves from the Communion of Saints, as it is approved by the Apostles rules in the Church of *England*, and combine themselves together in a new brotherhood, accounting the Christians who are conformable to the Doctrine, Government, Rites and Ceremonies of the Church of *England*, to be prophane and unmeet for them to joyn within Christian profession; let them be excommunicated *ipso facto*, and not restored, but by the Archbishop, after their repentance and publick revocation of such their wicked errors.

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## X.

*Maintainers of Schismatickes in the Church of England, censured.*

**W**Hosoever shall hereafter affirm, That such Ministers, as refuse to subscribe to the form and manner of Gods worship in the Church of England prescribed in the Communion Book, and their adherents, may truly take unto them the name of another Church not established by Law, and dare presume to publish it, that this their pretended Church hath of long time groaned under the burden of certain grievances imposed upon it, and upon the members thereof before mentioned by the Church of England, and the Orders and Constitutions therein by Law established: Let them be excommunicated, and not restored untill they repent and publicly revoke such their wicked errors.

## XI.

*Maintainers of Conuenticles, censured.*

**W**Hosoever shall hereafter affirm or maintain, That there are within this Realm, other meetings, assemblies or Congregations of the Kings born Subjects, then such as by the Lawes of this land are held and allowed, which may rightly challenge to themselves the name of true and lawfull Churches: let him be excommunicated and not restored but by the Archbishop, after his repentance and publick re-vocation of such his wicked errors.

*Maintainers*

Gang. c. 6.

Trullo. 31. 59.

Nomocanon lib. 3.

c. 14. lib. 13. c.

36.

Plm. 2. 4. 101. 20.

can. 1. lib. 3. c. 15.

Archiep. c. 5. Basil.

ad Amphivocat.

mapaguragwds

qua sunt a re

lib. liby presbyteris vel episcopis et a populo minime

doct. Basil.

# Canons Ecclesiastical.

## XII.

*Maintainers of Constitution made in conventicles, censured.*

**W**Hosoever shall hereafter affirm that it is lawfull for any sort of Ministers and Laypersons, or either of them to joyn together, and make Rules, Orders, or Constitutions in Causes Ecclesiastical without the Kings Authority, and shall submit themselves to be ruled and governed by them: let them be excommunicated *ipso facto*, and not be restored untill they repent, and publicly revoke those their wicked and Anabaptistical errors.

## ¶ Of Divine Service and Administration of the Sacraments

### XIII.

*Due celebration of Sundayes and Holy-dayes.*



**A**LL manner of persons within the Church of *England* shall from henceforth celebrate and keep the Lords day, commonly called Sunday, and other Holy-dayes according to Gods holy will and pleasure, and the Orders of the Church of *England* prescribed in that behalfe, that is in hearing the word of God read and taught, in private and publick prayers, in acknowledging their offences to God and amendment of the same, in reconciling themselves charitably to their neighbours where displeasure have been, in often times receiving the Communion of the body and blood of Christ, in visiting of the poor and sick, using all godly and sober conversation.

*Sunday.*

*Laodic. c. 29.*

*Antiphod. c. 16.*

*Mogunt. c. 37.*

*2 Mahse. c. 7.*

*3 Augst. c. 29.*

*Cabillon. c. 18.*

*Holy Dayes.*

*The Mogunt. c. 36.*

*cod. l. 3. tit. 12. sect. 7.*

*Homocanon tit. 7. c. 1.*

# Constitutions and

## XIV.

*The prescript form of divine Service to be used on Sundayes and Holy-dayes.*

**T**He Common-prayer shall be said or sung distinctly & reverently upon such dayes as are appointed to be kept holy by the Book of Common-prayer, and their Eves, and at convenient and usual times of those days, and in such place of every Church as the Bishop of the Diocese, or Ecclesiastical Ordinarie of the place shall think meet for the largeness or straitnesse of the same, so as the people may be most edified. All Ministers likewise shall observe the Orders, Rites and Ceremonies prescribed in the Book of Common-prayer, aswell in reading the holy Scriptures, and saying of Prayers, as in administration of the Sacraments, without either diminishing in regard of preaching, or in any other respect, or adding any thing in the matter or form thereof.

## XV.

*The Letanie to be read on Wednesdays and Fridays.*

**T**He Letanie shall be said or sung when, and as it is set down in the Book of Common-prayer, by the Parsons, Vicars, Ministers, or Curates in all Cathedral, Collegiate, Parish Churches and Chappels, in some convenient place, according to the discretion of the Bishop of the Diocese, or Ecclesiastical Ordinarie of the place. And that we may speak more particularly, upon Wednesdayes and Fridayes weekly, though they be not Holy-dayes, the Minister at the accustomed hours of Service, shall resort to the Church and Chappel, and warning

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ning being given to the people by tolling of a bell, shall say the Letanie prescribed in the Book of Common-prayer; whereunto we wish every Householder dwelling within half a mile of the Church, to come or send one at the least of his household fit to joyn with the Minister in prayers.

### XVI.

*Colledges to use the prescript form of Divine Service.*

**I**N the whole Divine Service, and Administration of the holy Communion, in all Colledges and Halls in both Universities, the Orders, Form and Ceremonies shall be duly observed as they are set down and prescribed in the Book of Common-prayer, without any omission or alteration.

### XVII.

*Students in Colledges to wear Surplisses, in time of Divine Service.*

**A**Ll Masters and Fellows of Colledges or Halls, and all the Scholars and Students in either of the Universities, shall in their Churches and Chappels upon all Sundayes, Holy-dayes, and their Eves, at the time of Divine Service wear Surplisses, according to the Order of the Church of *England*; and such as are Graduats shall agreeably wear with their Surplisses, such Hoods as do severally appertain to their degrees.



# Constitutions and

## XVIII.

*Reverence and attention to be used within the Church in time of Divine Service.*

*Injunct. 52.* **I**N the time of Divine Service, and of every part thereof, all due reverence is to be used: For it is according to the Apostles rule; *Let all things be done decently, and according to Order.* Answerable to which Decency and Order, we judge these our directions following: No man shall cover his head in the Church or Chappel in the time of Divine Service, except he have some infirmity, in which case let him wear a Night-cap, or Coife. All manner of persons then present, shall reverently kneel upon their knees, when the general Confession, Letany, and other Prayers are read, and shall stand up at the saying of the Belief, according to the Rules in that behalf prescribed in the Book of Common-prayer. And likewise when in time of Divine Service the Lord *Jesus* shall be mentioned, due and lowly reverence shall be done by all persons present, as it hath been accustomed; Testifying by these outward ceremonies and gestures, their inward humilitie, Christian resolution, and due acknowledgement that the Lord *Jesus Christ*, the true and eternal Son of God, is the only Saviour of the World, in whom alone all the Mercies, Graces, and Promises of God to mankind, for this life and the life to come, are fully and wholly comprised. None, either, man, woman or childe, of what calling soever, shall be otherwise at such times busied in the Church, then in quiet attendance to hear, mark, and

*Injunct. 52.  
Reg. Eliz. 4. m. 9.*



## Canons Ecclesiastical.

and understand that which is read, preached, or ministered ; Saying in their due places, audibly with the Minister, the Confession, the Lords-Prayer, and the Creed, and making such other answers to the public Prayers as are appointed in the Book of Common-prayer : neither shall they disturb the Service or Sermon, by walking or talking, or any other way, nor depart out of the Church during the time of Service, and Sermon, without some urgent or reasonable cause.

### XIX.

*Loyterers not to be suffered near the Church in time of Divine Service.*

**T**HE Church-wardens or Quest-men, and their Assistants, shall not suffer any idle persons to abide either in the Church-yard, or Church-porch, during the time of Divine Service, or Preaching ; but shall cause them either to come in, or to depart.

### XX.

*Bread and Wine to be provided against every Communion.*

**T**HE Church-wardens of every Parish against the time of every Communion, shall at the charge of the Parish, with the advice and direction of the Minister, provide a sufficient quantity of fine white Bread, and of good and wholesome Wine for the number of Communicants, that shall from time to time receive there ; which Wine we require to be brought to the Communion Table in a clean and sweet standing Pot, or Stoop of Pewter, if not of purer mettall.

*either silver or  
gold. In wood Pro-  
vise. l. 3. de celebr.  
The missar. et l. 3. tit  
de reliquijs c. 1. cup  
permissus.*

# Constitutions and

## XXI.

*The Communion to be thrice a year received.*

De consecr. d. 42.  
Agath. 38. Bal-  
sam. p. 229 ad  
Tür. novator  
ep. 142 r. 6.  
Linwood f. 8. p. 10.  
p. 10. f. 8. p. 10.  
p. 10. f. 8. p. 10.  
Remiss. cap.  
confessiones.

**I**N every Parish Church and Chappel where Sacraments are to be administred within this Realm, the holy Communion shall be ministred by the Parson, Vicar, or Minister, so often, and at such times as every Parishioner may communicate at the least thrice in the year (whereof the Feast of *Easter* to be one) according as they are appointed by the Book of Common-prayer. Provided, that every Minister, as often as he administred the Communion, shall first receive the Sacrament himself. Furthermore, no Bread or Wine newly brought shall be used: But first, the words of Institution shall be rehearsed when the said Bread and Wine be present upon the Communion Table. Likewise the Minister shall deliver both the Bread and the Wine to every Communicant severally.

## XXII.

*warning to be given before hand for the Communion.*

**W**HEREAS every Lay-person is bound to receive the holy Communion thrice every year, and many notwithstanding do not receive that Sacrament once in a year. We do require every Minister to give warning to his Parishioners publickly in the Church at Morning-prayer the Sunday before every time of his administring that holy Sacrament, for their better preparation of themselves: Which said warning, we enjoin the said Parishioners to accept and obey under the penalty and danger of the Law.

*Students.*

# Canons Ecclesiastical.

## XXIII.

*Students in Colledges to receive the Communion four times a year.*

**I**N all Colledges and Halls within both the Uuiversities, the Master, and Fellows, such especially as have any Pupils, shall be carefull that all their said Pupils, and the rest that remain amongst them be well brought up, and thoroughly instructed in points of Religion, and that they do diligently frequent publick Service and Sermons, and receive the holy Communion; which we ordain to be administred in all such Colledges and Halls, the first or second Sundayes of every Moneth, requiring all the said Masters, Fellows, and Scholars, and all the rest of the Students, Officers, and all other the Servants there so to be ordered, that every one of them shall communicate four times in the year at the least, kneeling reverently and decently upon their knees, according to the order of the Communion Book prescribed in that behalf.

## XXIV.

*Copes to be worn in Cathedral Churches by those that administer the Communion.*

**I**N all Cathedral and Collegiate Churches, the holy Communion shall be administred upon principal Feast dayes, sometimes by the Bishop, if he be present, and sometimes by the Dean; and at some times by a Canon or Prebendary, the principal Minister using a decent Cope, and being assisted with the Gospeller and Epistler agreeably, according to the Advertisements published *Anno 7. Eliz.* the said Communion to be administred at such times, and

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with such limitation, as is specified in the Book of Common-prayer: Provided, that no such limitation by any construction shall be allowed of, but that all Deans, Wardens, Masters, or Heads of Cathedral and Collegiat Churches, Prebendaries, Canons, Vicars, Peti-canons, Singing-men, and all others of the Foundation, shall receive the Communion four times yearly at the least.

### XXV.

*Surplisses and Hoods to be worn in Cathedral Churches, when there is no Communion.*

**I**N the time of Divine Service and Prayers in all Cathedral and Collegiate Churches, when there is no Communion, it shall be sufficient to wear Surplisses: Saving that all Deans, Masters and Heads of Collegiate Churches, Canons and Prebendaries being Graduats, shall daily at the times both of Prayer and Preaching, wear with their Surplisses, such Hoods as are agreeable to their degrees.

### XXVI.

*Notorious offenders not to be admitted to the Communion.*

**N**O Minister shall in any wise admit to the receiving of the Holy Communion, any of his Cure or Flock, which be openly known to live in sin notorious without repentance; nor any who have maliciously and openly contended with their Neighbours, untill they shall be reconciled: Nor any Church-wardens or Side-men, who having taken their Oaths to present to their Ordinaries all such publick offences, as they are particularly charged  
to

## Canons Ecclesiastical.

to inquire of in their severall Parishes shall ( notwithstanding their said Oaths, and that their faithfull discharging of them, is the chief means whereby publick sins and offences, may be reformed and punished ) wittingly and willingly, desperately and irreligiously incurre the horrible crime of Perjury, either in neglecting, or in refusing to present such of the said enormities and publick offences, as they know themselves to be committed in their said Parishes, or are notoriously offensive to the Congregation there ; although they be urged by some of their Neighbours, or by their Minister, or by their Ordinarie himself, to discharge their consciences by presenting of them, and not to incurre so desperately the said horrible sin of perjurie.

### XXVII.

*Schismatics not to be admitted to the Communion.*

**N**O Minister, when he celebrateth the Communion, shall wittingly administer the same to any, but to such as kneel, under pain of suspension, nor under the like pain to any that refuse to be present at publick Prayers, according to the Orders of the Church of *England*, nor to any that are common and notorious Depravers of the Book of Common-prayer, and administration of the Sacraments, and of the Orders, Rites and Ceremonies therein prescribed, or of any thing that is contained in any of the Articles agreed upon in the Convocation 1562. or of any thing contained in the book of ordering Priests and Bishops, or to any that have spoken against, and depraved his Majesties Sovereign

## Constitutions and

reign Authority in causes Ecclesiastical : Except every such person shall first acknowledge to the Minister before the Church-wardens, his repentance for the same, and promise by word ( if he cannot write ) that he will do so no more; and ( except if he can write ) he shall first do the same under his hand-writing, to be delivered to the Minister, and by him sent to the Bishop of the Diocese, or Ordinarie of the place. Provided that every Minister so repelling any ( as is specified either in this or the next precedent Constitution ) shall upon complaint, or being required by the Ordinarie, signifie the cause thereof unto him, and therein obey his order and direction.

### XXVIII.

*Strangers not to be admitted to the Communion.*

**T**HE Church-wardens or Quest-men, and their Assistants, shall mark aswell as the Minister, whether all and every of the Parishioners, come so often every year to the holy Communion, as the Laws and our Constitutions do require: And whether any strangers come often and commonly from other Parishes to their Church, and shall shew their Minister of them, least perhaps they be admitted to the Lords Table amongst others; which they shall forbid, and remit such home to their own Parish Churches and Ministers, there to receive the Communion with the rest of their own Neighbours.

### XXIX

*Fathers not to be Godfathers in Baptisme, nor children not Communicants.*

**N**O Parent shall be urged to be present, nor be admitted to answer as God-father for his

*1 Conc. carth.  
can. 7. Epwood  
provinc. 13. tit.  
de parochiis. c.  
aliffimus fol. 134  
B.*

*idem tit. de celest.  
misse. c. aliff. fol.  
168. Fulginti  
codex num. 6.  
Comunio peregri-  
nari quid.*

## Canons Ecclesiastical:

his own childe: nor any Godfather or Godmother shall be suffered to make any other answer or speech, than by the Booke of Common-prayer is prescribed in that behalf. Neither shall any person be admitted Godfather or Godmother to any childe at Christening or Confirmation, before the said person so undertaking hath received the Holy Communion.

### XXX

*The lawfull use of the Crosse in Baptisme explained.*

**W**E are sorry that his Majesties most princely *Durand. de rit. l. 1. c. 19. sec. 28.* care and pains taken in the conference at *Hampton Court*, amongst many other points, touching this one of the Crosse in Baptisme, hath taken no better effect with many, but that still the use of it in Baptisme is so greatly stuck at, and impugned. For the further declaration therefore of the true use of this Ceremony, and for the removing of all such scruple as might any wayes trouble the consciences of them who are indeed rightly religious, following the royal steps of our most worthy King, because he therein followeth the Rules of the Scriptures, and the practice of the Primitive Church; we do commend to all the true Members of the Church of England, these our directions and observations ensuing.

First, it is to be observed, that although the Jews and Ethnicks derided both the Apostles and the rest of the Christians for preaching and believing in him who was crucified upon the Crosse: Yet all, both Apostles and Christians, were so far from being discouraged from their profession by the ignominie of the Cross, as they rather rejoyced & triumphed in it.

E

Yea,



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Yea, the Holy Ghost by the mouths of the Apostles did honour the Name of the Crosse ( being hatefull among the Jews ) so far, that under it, he comprehended not only Christ crucified, but the force, effects, and merits of his Death and Passion, with all the comforts, fruits, and promises which we receive or expect thereby.

Secondly, the honour and dignity of the Name of the Crosse, begat a reverend estimation even in the Apostles times ( for ought that is known to the contrary ) of the signe of the Crosse : Which the Christians shortly after used in all their actions, thereby making an outward shew and profession even to the astonishment of the Jews, that they were not ashamed to acknowledge him for their Lord and Saviour, who died for them upon the Crosse. And this signe they did not only use themselves with a kind of glory, when they met with any Jews ; but signed therewith their children when they were christened, to dedicate them by that badge to his service, whose benefits bestowed upon them in Baptisme, the Name of the Crosse did represent. And this use of the signe of the Crosse in Baptisme, was held in the Primitive Church, as well by the Greeks, as the Latins, with one consent and great applause. At what time, if any had opposed themselves against it, they would certainly have been censured as Enemies of the name of the Crosse, and consequently of Christs merits, the signe whereof they could no better endure. This continual and general use of the signe of the Crosse, is evident by many testimonies

of the ancient Fathers.

Thirdly

*Tert. l. 2. ad  
Uxor. c. 5.*

*Baptisma calli  
signaculi Fidis.  
Fides ob signatu  
ob signatu Fidis.  
Signaculi Fidis.  
Aqua signans. Sig  
num Fidis.  
Tertul.*

*σφραγίς το  
κρυπτούτος.  
Clem. Alex. p. 126.  
Cypr. de unitate Eccle. n. 16. et ad Demetrian. n. 19.*



# Canons Ecclesiastical.

Thirdly, it must be confessed, that in proceſſe of time, the ſigne of the Croſſe was greatly abuſed in the Church of *Rome*, eſpecially after that corruption of Poperie had once poſſeſſed it. But the abuſe of a thing doth not take away the lawfull uſe of it. Nay, ſo far was it from the purpoſe of the Church of *England*, to forſake and reject the Churches of *Italy*, *France*, *Spain*, *Germany*, or any ſuch like Churches, in all things which they held and practiſed, that as the Apologie of the Church of *England* confeſſeth, it doth with reverence retain thoſe Ceremonies, which do neither endamage the Church of God, nor offend the minds of ſober men, And on-ly departed from them in thoſe particular points, wherein they were fallen, both from themſelves in their ancient integrity, and from the Apoſtolical Churches, which were their firſt Founders. In which reſpect, amongſt ſome other very ancient Ceremonies, the ſigne of the Croſſe in Baptiſme hath been retained in this Church, both by the judgement and practice of thoſe reverend Fathers, and great Divines in the dayes of King *Edw.* the 6, of whom ſome con-ſtantly ſuffered for the profeſſion of the truth; and others being exiled in the time of Queen *Mary*, did after their return in the beginning of the Reign of our late dread Sovereign, continually defend and uſe the ſame. This reſolution and practice of our Church hath been allowed and approved by the cenſure upon the Communion Book in King *Edward* the ſixt his dayes, and by the harmonie of confeſſions of latter years; Becauſe indeed, the uſe of this ſigne in Baptiſme was ever accompanied here with ſuch

*Arropag. c. 4. s. 6. Tertul.*  
*de corona militis. c. 8. hi-*  
*gra. in exod. c. 5. hom. 6.*  
*Cyrit. catich. 4. Bapt. de*  
*sp. sbo 24.*  
*Chrys. hom. 55.*  
*in mat.*  
*Clem. conchit. 8.*  
*p. c. 12. Justin.*  
*Mart. p. 285. ed.*  
*H. Ste.*  
*Marthalis in ep.*  
*ad Burdigalenses*  
*Euseb. de vita*  
*Cont. l. 3. c. 47.*  
*Alhan. p. 61.*  
*Cypr. ep. 56. 7.*  
*ad Parmel.*

*xxxi Religioſi*  
*Cruis. Tertul.*  
*Apolo. c. 16.*

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sufficient cautions and exceptions against all Popish superstition and error, as in the like cases are either fit or convenient.

First, the Church of *England* since the abolishing of Popery hath ever held and taught, and so doth hold and teach still, that the signe of the Crosse used in Baptisme, is no part of the substance of that Sacrament. For when the Minister dipping the Infant in Water, or laying water upon the face of it (as the manner also is,) hath pronounced these words; *I baptize thee in the Name of the Father, and of the Son, & of the Holy Ghost*, the Infant is fully and perfectly baptized, So as the signe of the Crosse being afterwards used, doth neither adde any thing to the vertue or perfection of Baptisme, nor being omitted doth detract any thing from the effect and substance of it.

Secondly, it is apparant in the Communion Book, that the Infant baptized is by vertue of Baptisme, before it be signed with the signe of the Crosse, received into the Congregation of Christs Flock, as a perfect member thereof, and not by any power ascribed unto the sign of the Crosse. So that for the very remembrance of the Crosse, which is very precious to all them that rightly believe in *Jesus Christ*, and in the other respects mentioned, the Church of *England* hath retained still the sign of it in Baptisme: Following therein the Primitive and Apostolicall Churches, & accounting it a lawfull outward Ceremonie and honourable Badge, whereby the Infant is dedicated to the service of him that died upon the Crosse, as by the words used in the Book of Common Prayer it may appear.

Lastly,

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Lastly, the use of the signe of the Crosse in Baptisme, being thus purged from all Popish superstition and error, and reduced in the Church of *England* to the primarie Institution of it upon those true Rules of Doctrine concerning things indifferent, which are consonant to the word of God, and the judgements of all the ancient Fathers: We hold it the part of every private man, both Minister and other, reverently to retain the true use of it prescribed by publick Authority, considering that things of themselves indifferent, do in some sort alter their natures, when they are either commanded or forbidden by a lawfull Magistrate; and may not be omitted at every mans pleasure contrary to the Law, when they be commanded, nor used when they are prohibited.

### ¶ Ministers their Ordination

Function, and Charge.

XXXI.

*Four solemn times appointed for the making of Ministers.*

*Behar. l. 2. de  
Romis. c. 19.  
Crisost. cod. c. 239.*



Soasmuch as the ancient Fathers of the Church led by example of the Apostles, appointed Prayers and Fasts to be used at the solemn ordering of Ministers, and to that purpose allotted certain times, in which only sacred Orders might be given or conferred: We following their Holy and Religious example do constitute and decree; That no Deacons or Ministers be ordained and made, bu

*Mogunhay. 34.*

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*De modo Ordinationis r. 4.  
Carthag. c. 3. 4.*

only upon the Sundayes immediately following *Jejunia quatuor temporum*, commonly called Ember weeks, appointed in ancient time for Prayer and Fasting (purposely for this cause at their first Institution) and so continued at this day in the Church of *England*; and that this be done in the Cathedral or Parish Church where the Bishop resideth, and in the time of Divine Service, in the presence, not only of the Archdeacon, but of the Dean, and two Prebendaries at the least, or (if they shall happen by any lawfull cause to be let or hindered) in the presence of four other grave persons being Masters of Arts at the least, and allowed for publick Preachers.

*non sine testimo-  
nio pluribus & carth.  
c. 22.*

XXXII.  
*None to be made Deacon and Minister, both in one day.*

**T**HE Office of a Deacon being a step or degree to the Ministerie, according to the judgement of the ancient Fathers, and the practice of the Primitive Church: We do ordain and appoint, that hereafter no Bishop shall make any person of what qualities or gifts soever, a Deacon and a Minister, both together upon one day: but that the order in that behalf prescribed in the Book of making and consecrating Bishops, Priests, and Deacons be strictly observed. Not that alwayes every Deacon should be kept from the Ministerie for a whole year, when the Bishop shall find good cause to the contrary: but that there being now four times appointed in every year for the ordination of Deacons and Ministers, there may ever be some time of trial of their behaviour in the Office of Deacon,

con,

*Synood Tron. l. 5.  
tit. de do gni fur-  
tive. Ordinas re-  
cipit. Decret.  
Gregory. l. 1. tit.  
14. c. 15.*

## Canons Ecclesiastical.

con, before they be admitted to the Order of Priest-  
hood.

### XXXIII.

*The Titles of such as are to be made Ministers.*

**I**T hath been long since provided by many de-  
crees of ancient Fathers, That none should be  
admitted either Deacon or Priest, who had not first  
some certain place where he might use his Function.  
According to which examples, we do ordain  
that henceforth no person shall be admitted into  
ordained Orders, except he shall at that time exhibite to  
the Bishop, of whom he desireth Imposition of  
hands, a presentation of himself to some Ecclesi-  
astical preferment then void in that Diocese: or  
shall bring to the said Bishop, a true and undoubted  
Certificate, that either he is provided of some  
Church within the said Diocese, where he may as-  
tend the Cure of souls, or of some Ministers  
place vacant, either in the Cathedral Church of that  
Diocese, or in some other Collegiate Church there-  
in also situate, where he may execute his Ministry,  
or that he is a Fellow, or in right as a Fellow, or to  
be a Conductor or Chaplain in some Colledge in *Cam-  
bridge* or *Oxford*, except he be a Master of Arts of  
five years standing, that liveth of his own charge  
in either of the Universities; or except by the Bi-  
shop himself, that doth ordain him Ministry, he be  
shortly after to be admitted either to some Benefice  
or Curateship then void. And if any Bishop shall  
admit any person into the Ministry that hath none of  
these titles, as is aforesaid, then he shall keep and  
maintain him with all things necessary, till he do pre-  
ferre

*Nemo auctoritate  
univers. Calce-  
don. 6. Photij 11.  
moan. c. 33. vult  
et. 26. can. cal-  
cedon.*

*libula*

*Gregor. 9. l. 1. c. 14.*

Trident. sess. 6. Decret. de reformatione  
c. 11. et sess. 4. de reformatione c. 2.  
Apoc. c. 35. Nicen. 17. Carth. c. 18. 19. 1. Carth. can.

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5. 2. Carth. c. 11. ferre him to some Ecclesiastical living. And if the  
cald. c. 19. 1. said Bishop shall refuse so to do, he shall be suspen-  
Bogear 26 ded by the Archbishop, being assisted with another  
refer hae ad Bishop, from giving of Orders by the space of a  
fugent Canone year.  
XXXIV.

*The quality of such as are to be made Ministers.*

- Cab. 13. Cond. **N**O Bishop shall henceforth admit any person into  
anthon. c. 23. sacred Orders, which is not of his own Dioceffe,  
Carthag. 3. c. 20. except he be either of one of the Universities of this  
21. Antiochen. Realm, or except he shall bring Letters Dimissorie,  
13. 22. (so termed) from the Bishop of whose Dioceffe  
Prov. de Tem- he is, and desiring to be a Deacon, is three and twen-  
more by dmas ty years old, and to be a Priest four and twenty years  
dorn l. 9. c. quia compleat, and hath taken some degree of School in  
Antiochen. 22 either of the said Universities, or at the least, except  
De abate Tol- he be able to yield an account of his Faith in Latine,  
19. 18. according to the Articles of Religion approved in  
the Synod of the Bishops and Clergie of this Realm,  
1562. and to confirm the same by sufficient testimo-  
nies out of the holy Scriptures; and except more-  
over, he shall then exhibit Letters testimonial of his  
good life and conversation under the Seal of some  
Colledge in Cambridge or Oxford, where before he  
remained, or of three or four grave Ministers, toge-  
ther with the subscription and testimonie of other  
credible persons, who have known his life and beha-  
viour by the space of three years next before.

## XXXV.

*The examination of such as are to be made Ministers.*

Nicen. c. 9. **T**He Bishop before he admit any person to holy  
in suare non solu Orders, shall diligently examine him in the pre-  
examen diligens sed sence  
auricula con  
fessionem. Leo Aquilens. p. 3. 3. Carth. c. 22. Inwood  
pro. 1. lib. de scrutinio. c. 1. fol. 24. ~~Cambridge~~



## Canons Ecclesiastical.

sence of those Ministers that shall assist him at the Impositions of hands. And if the said Bishop have any lawfull impediment, he shall cause the said Ministers carefully to examine every such person so to be ordered. Provided, that they who shall assist the Bishop in examining and laying on of hands, shall be of his Cathedral Church, if they may conveniently be had, or other sufficient Preachers of the same Diocese, to the number of three at the least. And if any Bishop or Suffragan shall admit any to sacred Orders, who is not so qualified and examined, as before we have ordained; the Archbishop of this Province having notice thereof, and being assisted therein by one Bishop, shall suspend the said Bishop or Suffragan so offending, from making either Deacons or Priests for the space of two years.

*Const. l. 1. h. de  
sacram. ut per  
his conferantur  
de scrupulo ordi-  
and. c. sac. ord.  
Fulgen. cod. m. 232  
Erisson. cod. num. 7  
Trident. sess. 7. c.  
13. sess. 14. Decr.  
de refor. c. 3.  
sess. 23. Dec. de  
Ref. c. 7.*

*Ann. 10. du 2. c.  
13.*

### XXXVI.

*Subscription required of such as are to be made Ministers.*

**N**O person shall hereafter be received into the Ministerie, nor either by Institution or Collation admitted to any Ecclesiastical Living, nor suffered to Preach, to Catechize, or to be a Lecturer, or Reader of Divinity in either University, or in any Cathedral or Collegiate Church, City or Market-Town, Parish-Church, Chappel, or in any other place within this Realm, except he be licensed either by the Archbishop, or by the Bishop of the Diocese, (where he is to be placed) under their hands and Seals, or by one of the two Universities under their Seal likewise, and except he shall first sub-

F

scribe



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scribe to these three Articles following, in such manner and sort as we have here appointed.

1. That the Kings Majestie, under God, is the only supream Governour of this Realm, and of all other his Highness Dominions and Countreys, aswell in all Spiritual or Ecclesiastical things or causes, as Temporal: and that no forreign Prince, Person, Prelate, State or Potentate, hath or ought to have any Jurisdiction, Power, Superiority, Preheminence, or Authority Ecclesiastical or Spiritual, within his Majesties said Realms, Dominions and Countreys.

2. That the Book of Common-prayer, and of ordering of Bishops, Priests and Deacons, containeth in it nothing contrary to the word of God, and that it may lawfully be used, and that he himself will use the form in the said Book prescribed in publick Prayer, and Administration of the Sacraments, and noire other.

3. That he alloweth the Book of Articles of Religion agreed upon by the Archbishops and Bishops of both Provinces, and the whole Clergie in the Convocation holden at *London* in the year of our Lord God, one thousand five hundred sixtie and two, and that he acknowledgeth all and every the Articles therein contained, being in number, nine and thirty, besides the ratification, to be agreeable to the word of God.

To these three Articles, whosoever will subscribe, he shall for the avoiding of all ambiguities subscribe in this order and form of words, setting down both his christen and surname, viz. *I N N. do willingly*

## Canons Ecclesiastical.

*willingly and ex animo subscribe to these three Articles above mentioned, and to all things that are contained in them; and if any Bishop shall ordain, admit, or license any as is aforesaid, except he first have subscribed in manner and form, as heer we have appointed, he shall be suspended from giving of Orders and Licenses to preach for the space of twelve Moneths. But if either of the Universities shall offend therein, we leave them to the danger of the Law, and his Majesties censure.*

### XXXVII.

*Subscription before the Diocesan.*

**N**One licensed as is aforesaid, to Preach, read Lecture, or Catechize, coming to reside in any Diocesse, shall be permitted there to Preach, read Lecture, Catechize, or minister the Sacraments, or to execute any other Ecclesiastical function (by what authority soever he be thereunto admitted) unless he first consent and subscribe to the three Articles before mentioned, in the presence of the Bishop of the Diocesse wherein he is to Preach, read Lecture, Catechize or administer the Sacraments as aforesaid.

### XXXVIII.

*Revolters after Subscription censured.*

**I**F any Minister after he hath once subscribed to the said three Articles, shall omit to use the form of Prayer, or any of the Orders or Ceremonies prescribed in the Communion Book, let him be

# Constitutions and

suspended: and if after a Moneth he do not reform and submit himself, let him be excommunicated; and then if he shall not submit himself within the space of another Moneth, let him be deposed from the Ministry.

## XXXIX

### Cautions for Institution of Ministers into Benefices.

**N**O Bishop shall institute any to a Benefice, who hath been ordained by any other Bishop, except he first shew unto him his Letters of Orders, and bring him a sufficient testimony of his former good life and behaviour, if the Bishop shall require it: and lastly shall appear upon due examination to be worthy of his Ministry.

## XL

### An Oath against Symonie at institution into Benefices.

**T**O avoid the detestable sin of Symony, because buying and selling of Spiritual and Ecclesiastical Functions, Offices, Promotions, Dignities, and Livings is execrable before God; therefore the Archbishop, and all and every Bishop or Bishops, or any other person or persons, having authority to admit, Institute, Collate, Install, or to confirme the Election of any Archbishop, Bishop, or other person or persons to any Spiritual or Ecclesiastical Function, Dignity, Promotion, Title, Office, Jurisdiction, Place, or Benefice with Cure or without Cure, or to any Ecclesiastical Living whatsoever, shall before every such Admission, Institution, Collation, Installation or Confirmation of Election,

Ap. can. 29. calid.  
c. 2. 2. April. c. 35.  
Mogunt. 30. Tolit.  
11. c. 9. Cabilon.  
16. Synod. Westm.  
nach. an. 1102. Sub.  
An. 1110. ap. and  
hemar. p. 67. 30.  
Frank. 22. Tolit.  
4. c. 18. Authen.  
collat. lib. 6. No.  
vill. 6. c. 1. p. 1.  
5. c. 9. Novell.  
56. c. 1. Novell.  
137. c. 2. Novell.  
123. c. 1. v. Bal.  
Sam. p. 9. c. D. p.  
13. c. 1. v. Bal.  
jurat se a presentibus nihil accepisse. et l. 3. lib. 2.  
mst. et comend. l. 5. de Symonia. Cons. lib. 1. llo. 6. c. 2.  
is qui parochiam faciunt in presentibus. statuit.  
Eliz. An. 31. c. 4.

jurat se a presentibus nihil accepisse. et l. 3. lib. 2.  
mst. et comend. l. 5. de Symonia. Cons. lib. 1. llo. 6. c. 2.  
is qui parochiam faciunt in presentibus. statuit.

## Canons Ecclesiastical.

respectively Minister to every person hereafter to be admitted, Instituted, Collated, Installed, or confirmed in or to any Archbishoprick, Bishoprick, or other Spiritual or Ecclesiastical Function, Dignity, Promotion, Title, Office, Jurisdiction, Place, or Benefice with Cure or without Cure, or in any Ecclesiastical Living whatsoever, this Oath in manner and form following, the same to be taken by every one whom it concerneth in his own person, and not by a Proctor:  
*I N. N do swear, That I have made no Symoniacal payment, contract or promise, directly or indirectly, by my self, or by any other to my knowledge, or with my consent, to any person or persons whatsoever, for or concerning the procuring and obtaining of this Ecclesiastical Dignity, Place, Preferment, Office or Living, ( respectively and particularly naming the same whercunto he is to be Admitted, Instituted, Collated, Installed, or Confirmed ) nor will at any time hereafter perform or satisfie any such kind of payment, contract or promise made by any other without my knowledge or consent ; So helpe me God, through Jesus Christ.*

*Elog. Regum  
 Angl. & Constat.  
 tit. 8. c. 3.*

### XLI.

*Licenses for Plurality of Benefices limited, and Residence enjoyned.*

*Antioch. c. 3.  
 Limwood. Prov. 1.  
 7. tit. de Probu-  
 ris. c. 2.*

**N**O License or Dispensation for the keeping of more Benefices with Cure than one, shall be granted to any, but such only as shall be thought very well worthy for his learning, and very well able and sufficient to discharge his duty, that is, who shall have taken the degree of a Master of Arts at the least in one of the Universities of this Realm,

*Pro. 2. cap. 48.  
 5. 7. Conc. l. 15.*

## Constitutions and

and be a publick and sufficient Preacher licensed. Provided alwayes that he be by a good and sufficient caution bound to make his personal Residence in each his said Benefices for some reasonable time in every year: and that the said Benefices be not more than thirty miles distant asunder: and lastly, that he have under him in the Benefice where he doth not reside, a Preacher lawfully allowed, that is able sufficiently to teach and instruct the people.

### XLII.

*Residence of Deans in their Churches.*

*Brit. ass. Antioch.  
can. 14. 15. f. 11. 6.  
collat. 1. tit. 6.  
Nov. 6. c. 2. Nov.  
67. c. 3. Nov. 11.  
123. c. 9. f. 11.  
Pro. l. 3. tit. 1.  
Larius non Re-  
Tidenh. fol. 96.*

Every Dean, Master, or Warden, or chief Governour of any Cathedral or Collegiate Church shall be resident in his said Cathedral or Collegiate Church fourscore and ten dayes *Conjunctim* or *Divisim* in every year at the least, and then shall continue there in preaching the word of God, and keeping good hospitality, except he shall be otherwise let with weighty and urgent causes to be approved by the Bishop of the Diocese, or in any other lawfull sort dispensed with. And when he is present, he, with the rest of the Canons or Prebendaries resident, shall take special care, that the Statutes and lawdable Customs of their Church, (not being contrary to the word of God, or Prerogative Royal) the Statutes of this Realm being in force concerning Ecclesiastical Order, and all other Constitutions now set forth and confirmed by his Majesties Authority, and such as shall be lawfully enjoyed by the Bishop of the Diocese in his Visitation according to the Statutes and Customs of the same Church,

## Canons Ecclesiastical.

Church, or the Ecclesiastical Laws of this Realm, be diligently observed, and that the Petty-Canons, Vicars choral, and other Ministers of their Church be urged to the study of the holy Scriptures; and every one of them to have the New-Testament, not only in English, but also in Latine.

### XLIII.

*Deans and Prebendaries to preach during their Residence.*

**T**He Dean, Master, Warden, or chief Governor, Prebendaries and Canons in every Cathedral and Collegiate Church, shall not only preach there in their own persons, so often as they are bound by Law, Statute, Ordinance or Custom; but shall likewise preach in other Churches of the same Diocese where they are resident, and especially in those places whence they or their Church receive any yearly Rents or Profits. And in case they themselves be sick, or lawfully absent, they shall substitute such licensed Preachers to supply their turns, as by the Bishop of the Diocese shall be thought meet to preach in Cathedral Churches. And if any otherwise neglect or omit to supply his course, as is aforesaid, the offender shall be punished by the Bishop, or by him or them to whom the Jurisdiction of that Church appertaineth, according to the quality of the offence.

### XLIV.

*Prebendaries to be resident upon their Benefices.*

**N**O Prebendaries nor Canons in Cathedral or Collegiate Churches, having one or more Benefices.



## Constitutions and

Benefices with Cure ( and not being Residentiaries in the same Cathedral or Collegiate Churches (shall under colour of the said Prebends, absent themselves from their Benefices with Cure above the space of one Moneth in the year, unlesse it be for some urgent cause, and certain time to be allowed by the Bishop of the Diocesse. And such of the said Canons and Prebendaries, as by the Ordinances of the said Cathedral or Collegiate Churches do stand bound to be resident in the same, shall so among themselves sort and proportion the times of the year, concerning residence to be kept in the said Churches, as that some of them alwayes shall be personally resident there: and that all those who be, or shall be Residentiaries in any Cathedral or Collegiate Church, shall after the dayes of their Residence, appointed by their local Statutes or Customs, expired, presently repair to their Benefices, or some one of them, or to some other charge where the Law requireth their presence, there to discharge their duties according to the Laws in that case provided. And the Bishop of the Diocesse shall see the same to be duly performed, and put in execution.

### XLV.

*Beneficed Preachers being resident upon their Livings to Preach every Sunday.*

**E**Very beneficed man allowed to be a Preacher, and residing on his Benefice, having no lawfull impediment, shall in his own Cure, or in some other Church or Chappel where he may conveniently neere adjoyning, ( where no Preacher is )  
Preach



## Canons Ecclesiastical.

preach one Sermon every Sunday of the year, wherein he shall soberly and sincerely divide the word of truth to the glory of God, and to the best edification of the people.

### XLVI.

*Beneficed men not Preachers to procure monethly Sermons.*

**E**Very beneficed man not allowed to be a Preacher, shall procure Sermons to be preached in his Cure once in every Moneth at the least, by Preachers lawfully licensed, if his Living in the judgement of the Ordinarie, will be able to bear it. And upon every Sunday, when there shall not be a Sermon preached in his Cure, he or his Curate shall read some one of the Homilies prescribed, or to be prescribed by Authority, to the intents aforesaid.

### XLVII.

*Absence of beneficed men to be supplied by Curates that are allowed Preachers.*

**E**Very beneficed man licensed by the Laws of this Realm, upon urgent occasions of other service not to reside upon his Benefice, shall cause his Cure to be supplied by a Curate that is a sufficient and licensed Preacher, if the worth of the Benefice will bear it. But whosoever hath two Benefices, shall maintain a Preacher licensed, in the Benefice where he doth not reside, except he preach himself at both of them usually.

*Notwithstanding of this* **6** *Name*  
*shall*

## Constitutions and

### XLVIII.

*None to be Curates but allowed by the Bishop.*

**N**O Curate or Minister shall be permitted to serve in any place, without examination and admission of the Bishop of the Dioceſſe or Ordinarie of that place, having Epifcopal Jurisdiction, in writing under his Hand and Seal; having reſpect to the greatneſſe of the Cure, and meetneſſe of the party. And the ſaid Curates and Miniſters, if they remove from one Dioceſſe to another, ſhall not be by any means admitted to ſerve without teſtimony of the Biſhop of the Dioceſſe, or Ordinarie of the place as aforeſaid, whence they came, in writing, of their honeſty, ability, and conformity to the Eccleſiaſtical Laws of the Church of *England*; nor any ſhall ſerve more than one Church or Chappel upon one day, except that Chappel be a Member of the Pariſh-Church, or united thereunto; and unleſſe the ſaid Church or Chappel where ſuch a Miniſter ſhall ſerve in two places be not able in the judgment of the Biſhop or Ordinarie as aforeſaid, to maintain a Curate.

### XLIX.

*Miniſters not allowed Preachers, may not expound.*

**N**O perſon whatſoever not examined and approved by the Biſhop of the Dioceſſe, or not licensed as is aforeſaid for a ſufficient or convenient Preacher, ſhall take upon him to expound in his own Cure or elſewhere, any Scripture, or Matter, or Doctrin, but ſhall only ſtudy to read plainly, and aptly (without glozing or adding) the *Homilies* already ſet forth, or hereafter to be published by lawfull

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lawfull Authority, for the Confirmation of the true Faith, and for the good instruction and edification of the people.

L.

*Strangers not admitted to Preach without shewing their License.* *Norman. can. 40.*

**N**either the Minister, Church-wardens, nor any other Officers of the Church, shall suffer any man to preach within their Churches or Chappels, but such as by shewing their License to preach, shall appear unto them to be sufficiently authorized thereunto, as is aforesaid.

LI.

*Strangers not admitted to preach in Cathedral Churches, without sufficient authority.*

**T**He Deans, Presidents, and Residentiaries of any Cathedral or Collegiate Church, shall suffer no stranger to preach unto the people in their Churches, except they be allowed by the Archbishop of the Province, or by the Bishop of the same Diocese, or by either of the Universities. And if any in his Sermon shall publish any Doctrine, either strange or disagreeing from the word of God, or from any of the Articles of Religion agreed upon in the Convocation-house, *Anno 1562.* or from the Book of Common-prayers, the Dean, or the Residents shall by their Letters subscribed with some of their hands that heard him, so soon as may be, give notice of the same to the Bishop of the Diocese, that he may determine the matter, and take such order therein, as he shall think convenient.

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The

## Constitutions and

### LII.

*The names of strange Preachers to be noted in a Book.*

**T**Hat the Bishop may understand (if occasion so require) what Sermons are made in every Church of his Diocese, and who presume to preach without License; the Church-wardens and Side-men shall see, that the names of all preachers which come to their Church from any other place, be noted in a book, which they shall have ready for that purpose, wherein every preacher shall subscribe his name, the day when he preached, and the name of the Bishop of whom he had License to preach.

### LIII.

*No publick opposition between Preachers.*

**I**F any Preacher shall in the Pulpit particularly, or namely of purpose, impugne or confute any Doctrine delivered by any other Preacher in the same Church, or in any Church near adjoyning, before he hath acquainted the Bishop of the Diocese therewith, and received order from him what to do in that case, because upon such publick dissenting and contradicting, there may grow much offence and disquietnesse unto the people; the Church-wardens or parties grieved, shall forthwith signifie the same to the said Bishop, and not suffer the said Preacher any more to occupie that place which he hath once abused, except he faithfully promise to forbear all such matter of contention in the Church, untill the Bishop hath taken further order therein: who shall with all convenient speed so proceed therein, that publick satisfaction may be made in the Congregation  
where

## Canons Ecclesiastical.

where the offence was given. Provided, that if either of the parties offending do appeal, he shall not be suffered to preach *pendente lite*.

### LIV.

*The Licenses of Preachers, refusing Consermitie, to be void.*

**I**F any man licensed heretofore to preach, by any Archb. Bishop, or by either of the Universities, shall at any time from henceforth refuse to conform himself to the Laws, Ordinances and Rites Ecclesiastical established in the Church of *England*, he shall be admonished by the Bishop of the Diocesse, or Ordinarie of the Place, to submit himself to the use and due exercise of the same. And if after such admonition, he do not conform himself within the space of one moneth, we determine and decree, that the license of every such Preacher shall thereupon be utterly void, and of none effect.

### LV.

*The form of a Prayer to be used by Preachers before their Sermons.*

**B**Efore all Sermons, Lectures, and Homilies, Preachers and Ministers shall move the people to joyn with them in Prayer in this form, or to this effect, as briefly as conveniently they may. Ye shall pray for Christs holy Catholick Church, that is, for the whole Congregation of Christian people dispersed throughout the whole World, and especially for the Churches of *England*, *Scotland* and *Ireland*. And herein I require you most especially

*A Bidding Pr.  
up by Greek  
Euoch. fol. 6. r.  
xv. p. 16. Den Denora  
ring in m. their  
Sermon Prayer  
Laqaher De Nib  
reale Figurme.*

## Constitutions and

to pray for the Kings most Excellent Majesty, our Sovereign Lord *Charles*, King of *England*, *Scotland*, *France* and *Ireland*, Defender of the Faith, and Supreme Governour in these his Realms, and all other his Dominions and Countreys, over all persons, in all causes aswell Ecclesiastical as Temporal. Ye shall also pray for our gracious Queen *Mary*, the Prince *Palatine*, Lady *Elizabeth*, and her Royal Issue. Ye shall also pray for the Ministers of Gods holy Word and Sacraments, aswell Archbishops and Bishops, as other Pastors and Curates. Ye shall also pray for the Kings most Honourable Council, and for all the Nobility and Magistrates of this Realm, that all and every of these in their severall callings, may serve truely and painfully to the glory of God, and the edifying and well governing of his people, remembring the account that they must make. Also ye shall pray for the whole Commons of this Realm, that they may live in true Faith and fear of God, in humble obedience to the King, and brotherly charity one to another. Finally, let us praise God for all those which are departed out of this life in the Faith of Christ, and pray unto God that we may have grace to direct our lives after their good example; that this life ended, we may be made partakers with them of the glorious Resurrection in the life everlasting. Alwaies concluding with the Lords-Prayer.

*Preach*

# Canons Ecclesiastical.

## LVI.

*Preachers and Lecturers to read divine Service, and administer the Sacraments twice a year at the least.*

**E**Very Minister being possessed of a Benefice that hath Cure and charge of souls, although he chiefly attend to preaching, and hath a Curate under him to execute the other duties which are to be performed for him in the Church, and likewise every other stipendiarie Preacher that readeth any Lecture, or Catechizeth, or Preacheth in any Church, or Chappel, shall twice at the least every year, read himself the divine Service, upon two severall Sundayes, publickly, and at the usual times, both in the Forenoon and Afternoon in the Church, which he so possesseth, or where he Readeth, Catechizeth, or Preacheth, as is aforesaid, and shall likewise as often in every year administer the Sacraments of Baptisme ( if there be any to be baptized ) and of the Lords Supper, in such manner and form, and with the observation of all such Rites and Ceremonies, as are prescribed by the Book of Common-prayer in that behalf; which if he do not accordingly perform, then shall he that is possessed of a Benefice, as before, be suspended; and he that is but a Reader, Preacher, or Catechizer, be removed from his place by the Bishop of the Diocese, untill he or they shall submit themselves to perform all the said duties, in such manner and sort, as before is prescribed.

*The*



# Constitutions and

## VII.

*The Sacraments not to be refused at the hands of unpreaching Ministers.*

WHereas divers persons seduced by false Teachers, do refuse to have their children baptized by a Minister that is no Preacher, and to receive the holy Communion at his hands in the same respect, as though the vertue of those Sacraments did depend upon his ability to preach: Forasmuch as the Doctrine both of Baptisme, and of the Lords Supper, is sufficiently set down in the Book of Common-prayer, to be used at the administration of the said Sacraments, as nothing can be added unto it that is material and necessary: We do require and charge every such person seduced as aforesaid, to reform that their wilfulness, & to submit himself to the Order of the Church in that behalf, both the said Sacraments being equally effectual, whether they be ministred by a minister that is no Preacher, or by one that is a Preacher. And if any hereafter, shall offend herein, or leave their own Parish-Churches in that respect, and Communicate, or cause their Children to be baptized in other Parishes abroad, and will not be moved thereby to reform that their error and unlawfull course; let them be presented to the Ordinary of the place by the Minister, Church-wardens, and Side-men or Quest-men of the Parishes where they dwell, and there receive such punishment by Ecclesiastical censure, as such obstinacie doth worthily deserve; That is, let them (persisting in their wilfulness) be suspended, and then after a Moneths further

## Canons Ecclesiasticall.

further obstinacy, Excommunicated. And likewise if any Parson, Vicar or Curat, shall after the publishing hereof, either receive to the Communion any such persons which are not of his own Church, and Parish, or shall baptize any of their children, thereby strengthening them in their said errors: Let him be suspended, and not be released thereof, untill he do faithfully promise that he will not afterwards offend therein.

### LVIII.

*Ministers reading Divine Service, and administering the Sacraments, to weare Surplesse, and Graduats, therewithall Hoods.*

EVERY Minister saying the publique Prayers, or administering the Sacraments or other Rites of the Church, shall we're a decent, and comely Surplesse with sleeves, to be provided at the charge of the Parish. And if any Question arise touching the matter, decency, or comelinesse thereof, the same shall be decided by the discretion of the Ordinary. Furthermore such Ministers as are Graduats, shall weare upon their Surplesse at such time, such Hoods as by the Orders of the Universities are agreeable to their degrees, which no Minister shall weare (being no Graduat) under paine of suspension. Notwithstanding it shall be lawfull for such Ministers as are not Graduats, to weare upon their Surplesse, instead of Hoods, some decent Tippet of black, so it be not filke.

## Constitutions, and

### LIX.

*Ministers to Catechise every Sunday.*

**E**Very Parson, Vicar, or Curat, upon every Sunday, and Holy-day before Evening Prayer, shall, for Half an Houre or more, examine, and instruct the Youth, and ignorant persons of his Parish in the Ten Commandements, the Articles of the Beleef, and in the Lords Prayer: and shall diligently hear, instruct, and teach them the Catechisme set forth in the Booke of Common Prayer. And all Fathers, Mothers, Masters, and Mistresses, shall cause their Children, Servants, and Apprentises which have not learned the Catechisme, to come to the Church at the time appointed, obediently to hear, and to be ordered by the Minister, untill they have learned the same. And if any Minister neglect his duty herein, let him be sharply reprov'd upon the first Complaint, and true notice thereof given to the Bishop or Ordinary of the place. If after submitting himselfe, he shall wilfully offend therein again, let him be suspended. If so the third time, there being little hope that he will be therein reformed, then Excommunicated, and so remain until he will be reformed. And likewise if any of the said Fathers, Mothers, Masters, or Mistresses, Children, Servants or Apprentises shall neglect their duties, as the one sort, in not causing them to come, and the other, in refusing to learn, as aforesaid, Let them be suspended by the Ordinaries, (if they be not children) and if they so persist by the space of a moneth, then let them be Excommunicated...

*Confirmation*

# Canons Ecclesiastical;

LX.

v. Durant. l. 1. c. 20. l. 2. 8, 9, 10,

*Confirmation to be performed once in three years.*

Mod. c. 48.  
Homocopia prou  
i. h. d. sacra  
unctione. c.  
sacerd. ch. c.  
confirmat.  
10. h. l. prou  
si sacra-  
mentis non de  
randis.

**F**Orasmuch as it hath beene a solemne, ancient, and  
laudable custome in the Church of God, continued  
from the Apostles time, that all Bishops should lay  
their Hands upon Children baptized, and instructed in  
the Catechisme of Christian Religion, praying over  
them, and blessing them: which we commonly call  
*Confirmation*: and that this holy action hath beene  
accustomed in the Church in former ages, to be per-  
formed in the Bishops Visitation every Third Yeare:  
We will, and appoint, that every Bishop, or the Suffra-  
gan in his accustomed Visitation, doe in his owne  
person carefully observe the said Custome. And if in  
that yeare by reason of some infirmity, he be not able  
personally to visite, then he shall not omit the executi-  
on of that duty of *Confirmation* the next year after, as he  
may conveniently.

LXI:

*Ministers to prepare children for Confirmation.*

**E**Very Minister that hath Cure and Charge of  
Soules, for the better accomplishing of the Or-  
ders, prescribed in the Book of Common prayer  
concerning *Confirmation*, shall take such especiall care  
as that none may be presented to the Bishop for  
him to lay his Hand upon, but such as can render  
an account of their Faith according to the Cate-  
chisme in the said Booke contained. And when the  
Bishop shall assigne any time for the performance  
of that part of his duty, every such Minister shall

## Constitutions, and

use his best endeavour to prepare, & make able, & likewise to procure as many as he can to be then brought, and by the Bishop to be confirmed.

### LXII.

*Ministers, not to marry any persons without Banes or Licence.*

**N**O Minister upon pain of suspension *per triennium ipso facto*, shall celebrate Matrimony between any persons, without a Faculty or Licence granted by some of the Persons in these our Constitutions expressed, except the Banes of Matrimony have been first published 3. several Sundayes or Holy dayes in the time of Divine Service in the Parish Churches or Chappels where the said parties dwell, according to the Book of Common Prayer. Neither shall any Minister upon the like pain under any pretence whatsoever, joyn any persons so licenced in marriage at any unseasonable times, but only between the hours of eight, and twelve in the forenoone, nor in any private place, but either in the said Churches or Chappel where one of them dwelleth, and likewise in time of Divine Service: nor when Banes are thrice asked (and no Licence in that respect necessary) before the Parents or Governours of the parties to be married being under the age of twenty and one years, shall either personally, or by sufficient testimony, signifie to him their consents given to the said marriage.

*Ministers*

# Canons Ecclesiasticall.

## LXIII.

*Ministers of exempt Churches not to marry without Banes or Licence.*

**E**Very Minister who shall hereafter celebrate Marriage betwixt any persons contrary to our said Constitutions; or any part or them, under colour of any peculiar Liberty or Priviledge claymed to appertayne to certaine Churches, and Chappels, shall be suspended *Per Triennium*; by the Ordinary of the place where the offence shall be committed. And if any such Minister shall afterwards remove from the place where he hath committed that fault, before he be suspended, as is aforesaid, then shall the Bishop of the Diocesse, or Ordinary of the place where he remayneth, upon Certificate under the Hand, and Seal of the other Ordinary from whose Jurisdiction he removed, execute that censure upon him.

## LXIII.

*Ministers solemnly to bid Holy-dayes.*

**E**Very Parson, Vicar, or Curate shall in his severall charge declare to the people every Sunday at the time appointed in the Communion Booke, whether there be any Holy-dayes or Fasting-dayes the Weeke following. And if any do hereafter wittingly offend herein, and being once admonished thereof by his Ordinary, shall again omit that duty; let him be censured according to Law, untill he submit himself to the due performance of it.

## Constitutions, and

### LXV.

*Ministers solemnely to denounce Recusants, and Excommunicants.*

**A**Ll Ordinaries shall in their severall Jurisdictions carefully see, and give order, that aswell those who for obstinate refusing to frequent Divine Service established by publique authority within this Realme of England, as those also (especially of the better sort, and condition) who for notorious contumacy or other notable crimes stand lawfully excommunicate, (unlesse within three monethes immediately after the said sentence of Excommunication pronounced against them, they resolve themselves, and obtain the benefit of Absolution) be every six monethes ensuing, aswell in the Parish Church, as in the Cathedrall Church of the Diocese in which they remaine, by the Minister openly in time of Divine Service upon some Sunday, denounced, and declared Excommunicate, that others may be thereby both admonished to refraine their company and society, and excited the rather to procure out a Writ *De Excommunicato capiendo*, thereby to bring, and reduce them into due order, and obedience. Likewise the Register of every Ecclesiastical Court, shall yearly betweene *Michaëlmas*, and *Christmas*, duely certifie the Arch-Bishop of the Province, of all, and singular the premises aforesaid.

### LXVI.

*Ministers to conferr with Recusants.*

**E**Very Minister being a Preacher, and having any Popish Recusant or Recusants in his Parish, and



## Canons Ecclesiasticall.

and thought fit by the Bishop of the Dioceſſe, ſhall labour diligently with them from time to time, thereby to reclaim them from their Errours. And if he be no Preacher, or not ſuch a Preacher, then he ſhall procure, if he can poſſibly, ſome that are Preachers ſo qualified, to take paynes with them for that purpoſe. If he can procure none, then he ſhall informe the Biſhop of the Dioceſſe thereof, who ſhall not onely appoint ſome Neighbour Preacher, or Preachers adjoyning, to take that labour upon them, but himſelfe alſo (as his important affaires will permit him) ſhall uſe his beſt endeavour by inſtruction, perſwaſion, and all good means he can deviſe, to reclaim both them, and all other within his Dioceſſe ſo affected.

### LXVII.

*Ministers to viſit the ſick.*

**W**Hen any perſon is dangerously ſick in any Pariſh; the Miniſter or Curat (having knowledge thereof) ſhall reſort unto him or her (if the diſeaſe be not knowne or probably ſuſpected to be infectious) to inſtruct, and comfort them in their diſtreſſe, according to the Order of the Communion Booke: if he be no Preacher: or if he be a Preacher, then as he ſhall think moſt needfull, and convenient. And when any is paſſing out of this Life, a Bell ſhall be tolled, and the Miniſter ſhall not then ſlack to do his laſt duty. And after the parties death (if it ſo fall out) there ſhall be rung no more but one ſhort Peale, and one other before the burial, and one other after the buriall.

*Mini-*

## Constitutions, and

### LXVIII.

*Ministers not to refuse to christen or bury.*

**N**O Minister shall refuse to delay to christen any childe, according to the forme of the Booke of Common Prayer, that is brought to the Church to him upon Sundayes or Holy-dayes to be christened, or to bury any corpses that is brought to the Church or Church-yard (convenient warning being given him thereof before) in such manner, and form as is prescribed in the said Booke of Common Prayer. And if he shall refuse to christen the one, or bury the other, except the party deceased were denounced excommunicated *Majori excommunicatione*, for some grievous, and notorious crime, (and no man able to testifie of his repentance) he shall be suspended by the Bishop of the Diocesse from his Ministry by the space of three moneths.

### LXIX.

*Ministers not to deferre Christning, if the child be in danger.*

**I**F any Minister being duely without any manner of collusion, informed of the weakenesse, and danger of death of any Infant unbaptized in his Parish, and thereupon desired to goe or come to the place where the said Infant remaineth, to baptize the same, shall either wilfully refuse to doe : or of purpose, or of grosse negligence shall so deferre the time, as when he might conveniently have resorted to the place, and have baptized the said Infant, it dyeth through such his default unbaptized : the said Minister shall be suspended for three moneths, and before his restitution

## Canons Ecclesiasticall.

stitution shall acknowledge his fault, and promise before his Ordinary, that he will not wittingly incurre the like again. Provided that where there is a Curate or a Substitute, this constitution shall not extend to the Parson or Vicar himself, but the Curate or Substitute present.

### LXX.

*Ministers to keep a Register of Christnings, Weddings, and Burials.*

**I**N every Parish Church, and Chappell within this Realm, shall be provided one parchment Booke, at the charge of the Parish, wherein shall be written the day, and year of every Christning, Wedding, and Buriall, which have been in the Parish since the time that the Law was first made in that behalf, so far as the ancient Book thereof can be procured, but especially since the beginning of the Raign of the late Queene. And for the safe keeping of the said Book, the Church Wardens at the charge of the Parish, shall provide one sure Coffer with Three Locks, and Keyes, whereof the One to remain with the Minister, and the other Two with the Church Wardens severall, so that neither the Minister without the Two Church Wardens, nor the Church Wardens without the Minister shall at any time take that Book out of the said Coffer. And henceforth upon every Sabbath day, immediately *Sunday.* after Morning or Evening Prayer, the Minister, and Church Wardens shall take the said Parchment Book out of the said Coffer, and the Minister in the presence of the Church Wardens shall write, and  
I record

## Constitutions, and

record in the said Book, the names of all Persons christened, together with the names, and surnames of their Parents, and also the names of all Persons married, and buried in that Parish, in the week before, and the day, and the year of every such Christning, Marriage, and Burial: And that done, they shall lay up that Book, in the Coffer as before: and the Minister, and Church Wardens unto every page of that Book, when it shall be filled with such inscription, shall subscribe their names. And the Church Wardens shall once every year within one moneth after the 25. day of *March*, transmit unto the Bishop of the Diocese or his Chancellour, a true copy of the names of all persons Christned, Married, or Buried in their Parish in the year before, (ended the said 25. day of *March*) and the certain dayes, and moneths in which every such Christening, Marriage, and Buriall was had, to be subscribed with the hands of the said Minister, and Church Wardens, to the end the same may faithfully be preserved in the Registry of the said Bishop, which Certificate shall be received without Fee. And if the Minister or Church Wardens shall be negligent in performance of any thing herein contained, it shall be lawfull for the Bishop or his Chancellour to convent them, and proceed against every of them as contemners of this our Constitution.

### LXXI.

*Ministers not to preach or administer the Communion in private Houses.*

**N**O Minister shall Preach or administer the holy Communion in any Private House, except it be in

## Canons Ecclesiasticall.

in times of necessity, when any being either so impotent, as he cannot go to the Church, or very dangerously sick, are desirous to be partakers of that holy Sacrament, under paine of suspension for the first offence, and Excommunication for the second. Provided, that Houses are here reputed for private Houses, wherein are no Chappels dedicated, and allowed by the Ecclesiastical Lawes of this Realm. And provided also under the paine before expressed, that no Chapleynes do preach or administer the Communion in any other places, but in the Chappels of the said Houses, and that also they do the same very seldom upon Sundays, and Holy-dayes. So that both the Lords, and Masters of the said Houses, and their Families, shall at other times receive the holy Communion at the least once every year.

### LXXII.

*Ministers not to appoint publick or private Fastes, or Trophe-sies, or to exercise, but by authority.*

**N**O Minister or Ministers shall without the Licence, and direction of the Bishop of the Diocess first obtained, and had under his Hand, and Seal, appoint or keep any solemn Fastes, either publickly, or in any private Houses, other then such as by Law are or by publick Authority shall be appointed, nor shall be wittingly present at any of them, under payne of suspension for the first fault, of Excommunication for the second, and of Deposition from the Ministry for the third. Neither shall any Minister not licensed, as is aforesaid, presume to appoint

## Constitutions, and

or hold any meetings for Sermons, commonly termed by some Prophecies, or Exercises, in Market Townes or other places, under the said paines: Nor without such Licence to attempt upon any pretence whatsoever, either of Possession or Obsession, by fasting, and prayers to cast out any Devil or Devil, under payne of imputation of Imposture, or couzenage, and deposition from the Ministry.

### LXXIII.

*Ministers not to hold private Conventicles.*

*Can. 11.*

*Antioch. c.*

**F**Orasmuch as all Conventicles, and secret meetings of Priests and Ministers have been ever justly accounted very hurtful to the state of the Church wherein they live; We do now ordain, and constitute, That no Priests or Ministers of the Word of God, nor any other persons shall meete together in any private house or elsewhere to consult upon any matter or course to be taken by them, or upon their motion or direction by any other, which may any way tend to the impeaching or depraving of the Doctrine of the Church of England, or of the book of Common Prayer, or of any part of the Government, and Discipline now established in the Church of England, under paine of Excommunication *ipso facto*.

### LXXIII.

*Decency in apparell enjoyned to Ministers.*

**T**HE true, ancient, and flourishing Churches of Christ being ever desirous that their Prelacy and Clergy might be had as well in outward reverence

*Manhifoncas. 15. Fribrur. 11.*



## Canons Ecclesiasticall.

rence, as otherwise regarded for the worthinesse  
 of their Ministry, did thinke it fit by a Prescript  
 forme of decent, and comely Apparell, to have them  
 known to the people, and thereby to receive the  
 honour, and estimation due to the especiall Messen- *De Tonfura.*  
 gers, and Ministers of Almighty God. We therefore *4. Carth. 44.*  
 following their grave Judgement, and the ancient Cu- *Frull. 96.*  
 stome of the Church of England, and hoping that in *De habitu.*  
 time new-fanglenesse of Apparell in some factious *an. 1102. Suf.*  
 persons will die of it selfe, doe constitute, and appoint *Arsemo apud*  
 That the Arch-bishops, and Bishops shall not intermit *hemer. p. 67.*  
 to use the accustomed Apparell of their degrees. Like- *1. 30. c. 12. 52.*  
 wise all Deanes, Masters of Colledges, Arch-deacons, *4. Carth. 45.*  
 and Prebendaries in Cathedrall or Collegiate Chur- *Frull. 27.*  
 ches, (being Priests or Deacons) Doctors in Divinity, *7. General.*  
 Law, and Physick, Bachellors in Divinity, Masters of *Council 16.*  
 Arts, and Bachellors of Law having any Ecclesiasticall  
 living, shall usually weare Gownes with standing  
 collars, and sleeves streight at the hands; or wide *lin wood shyt.*  
 sleeves, as is used in the Universities, with Hoods *prov. l. 3. h. 3.*  
 or Tippetts of Silke or Sarcenet, and square Caps. *c. 1. 2. l. 1. h. 1.*  
 And that all other Ministers, admitted or to be ad- *De spuchid. c. 1.*  
 mitted into that Function, shall also usually weare *fol. 12.*  
 the like Apparell, as is aforesaid, except Tippetts, *Constit. 11. Hon.*  
 onely. We do further in like manner ordaine, That *De habitu.*  
 all the said Ecclesiasticall persons above mentioned, *De habitibus.*  
 shall usually weare in their Journyes, Cloakes with *De habitibus.*  
 sleeves, commonly called Priests Cloakes without  
 guards, welts, long Buttons, or cuts. And no Eccle-  
 siasticall persons shall weare any Coife, or wrought  
 Night-caps, but onely plaine Night-caps of blacke  
 Silke, Satten, or Velvet. In all which particulars *De sagis, v. 1.*  
*arma malis.*  
*1. cap. 3. constit.*  
*De habitibus.*  
*De habitibus.*  
*De habitibus.*



## Constitutions, and

concerning the Apparell here prescribed, our meaning is not to attribute any holiness, or speciall worthiness to the said garments, but for decency, gravity, and orders, as is before specified. In private houses, and in their Studies, the said persons Ecclesiasticall may use any comely, and Scholler-like Apparell. Provided, that it be not cut or pinkt, and that in publick they go not in their Dublet, and Hose, without Coats of Caslockes: and also that they wear not any light coloured Stockings. Likewise poor Beneficed men, and Curats, (not being able to provide themselves long Gownes) may go in short Gownes, of the fashion aforesaid.

### LXXV.

*Sober conversation required in Ministers.*

**N**O Ecclesiasticall persons shall at any time, other then for their honest necessities, resort to any Tavernes or Ale-houses, neither shall they Board or Lodge in any such places. Furthermore, they shall not give themselves to any base or servile labour, or to Drinking or Ryot, spending their time idely by Day or Night, playing at Dice, Cardes, or Tables, or any other unlawfull Game: but at all times convenient, they shall hear or reade somewhat of the Holy Scriptures, or shall occupy themselves with some other honest study or exercise, alwaies doing the things which shall appertain to honesty, and endeavouring to profit the Church of God, having alwaies in minde that they ought to excell all others in Purity of Life, and should be Examples to the people to live well, and Christianly, under

Concil. sub  
Carolo mag.  
no 2.4.

Laodicea. c. 53.  
Nemocan. h. 7.  
S. c. 18.  
Rhem. c. 15.  
Apost. c. 27.  
1. c. 1. h. 79.  
Fru. 70. Nov.  
87. Nemocan.  
Tit. 13. c. 29.

## Canons Ecclesiasticall:

under paine of Ecclesiasticall censures to be inflicted with severity according to the qualities of their offences. *Mogunt. c. 10.*

### LXXVI.

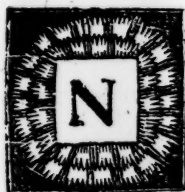
*Ministers at no time to forsake their Calling.* *Synod. Westmonast. an. 1102. apud hemer. p. 67. hic 152. Authent.*

**N**O man being admitted a Deacon or Minister shall *collat. 1. h. ul* from thenceforth voluntarily relinquish the same, *6. Nov. 1. cap.* nor afterward use himself in the course of his life, as a *7. Calcedon.* Lay-man, upon paine of Excommunication. And the names of all such men so forsaking their Calling, the Church Wardens of the Parish where they dwell, shall present to the Bishop of the Diocese, or to the Ordinary of the place, having Episcopal Jurisdiction.

## Schoole masters.

### LXXVII.

*None to teach Schoole without Licence.*



**N**O man shall teach either in publique Schoole, or private House, but such as shall be allowed by the Bishop of the Diocese, or Ordinary of the place under his Hand, and Seal, being found meete as well for his learning and dexterity in teaching, as for sober, and honest conversation, and also for right understanding of Gods true Religion, and also except he shall first subscribe to the first, and third Articles afore mentioned simply, and to the two first causes of the second Article.

*Christs*

# Constitutions, and

## LXXVIII.

*Curats desirous to teach, to be licenced before others.*

**I**N what Parish Church or Chappel soever there is a Curat which is a Master of Arts, or Bachellor of Arts, or is otherwise well able to teach Youth, and will willingly so do, for the better encrease of his living, and training up of children in the principles of true Religion: We will, and ordain, That a Licence to teach Youth of the Parish where he serveth, be granted to none by the Ordinary of that place but onely to the said Curat: provided alwayes, That this constitution shall not extend to any Parish or Chappell in Countrey Townes, where there is a publick School founded already: In which case we think it not meet to allow any to teach Grammar, but onely him that is allowed for the said publick School.

## LXXIX.

*The duty of Schoole-masters.*

*In wood 270. l. 5.  
ht. de magist. h. 12.  
p. 10. h. 12. do  
c. 12. j.*

**A**LL Schoole-masters shall teach in *English* or *Latine*, as the children are able to beare, the larger or shorter Catechisme heretofore by publique Authority set forth. And as often as any Sermon shall be upon Holy, and Festivall dayes withinn the Parish where they teach, they shall bring their Schollers to the Church where such Sermons shall be made, and there see them quietly, and soberly behave themselves, and shall examine them at times convenient after their Returne, what they have borne away of such Sermons: Upon other dayes, and at other times they shall traine them up with such Sentences of Holy Scripture, as shall be most expedient

## Canons Ecclesiasticall.

expedient to induce them to all godlinesse : and they shall teach the Grammar set forth by King HENRY the eight, and continued in the times of King EDWARD the sixt, and Queen ELIZABETH of noble memory, and none other. And if any Schoolemaster being licensed, and having subscribed, as aforesayd, shall offend in any of the premises, or eyther speake, write, or teach against any thing whereunto he hath formerly subscribed ( if upon admonition of the Ordinary he do not amend, and reform himselfe ) let him be suspended from teaching School any longer.

## Things appertaining to *Churches.*

### LXXX.

*The great Bible, and Booke of Common Prayer to be had in every Church.*



HE Church-Wardens or Quest-men of every Church, and Chappell shall at the charge of the Parish provide the Booke of Common Prayer lately explyained in some few poynts by his Majesties authority according to the Lawes, and his Highnesse Prerogative in that behalfe, and that with all convenient speed, but at the furthest within two moneths after the publishing of these our Constitutions. And if any Parishes be yet unfurnished of the Bible of the largest volume, or of the Bookes of Homilies allowed by Authority : the sayd Church-  
K wardens

## Constitutions, and

Wardens shall within convenient time provide the same at the like charge of the Parish.

### LXXXI.

*A Font of Stone for Baptism in every Church.*

According to a former constitution, too much neglected in many places, we appoint, that there shall be a Font of Stone in every Church, & Chappel, where Baptism is to be ministred: the same to be set in the ancient usual places. In which onely Font, the Minister shall baptize publickly.

### LXXXII.

*A decent Communion Table for every Church.*

Whereas we have no doubt but that in all Churches within the Realm of England, convenient and decent Tables are provided, and placed for the celebration of the Holy Communion, we appoint that the same Tables shall from time to time be kept, and repaired in sufficient, and seemely mannner, and covered in time of Divine Service with a carpet of silk or other decent stuff thought meete by the Ordinary of the place, if any question be made of it, and with a fair linnen cloth at the time of the administration, as becommeth that Table, and so stand, saving when the said holy Communion is to be administred. At which time the same shall be placed in so good sort within the Church or Chancell, as thereby the Minister may be more conveniently heard of the Communicants in his Prayer, and Administration, and the Communicants also

## Canons Ecclesiasticall,

also more conveniently, and in more number may communicate with the said Minister; and that the ten Commandements be set up upon the East end of every Church, and Chappell where the people may best see, and read the same, and other chosen Sentences written upon the walles of the said Churches, and Chappells in places convenient: and likewise that a convenient seat be made for the Minister to read Service in. All these to be done at the charge of the Parish.

### LXXXIII.

*A Pulpit to be provided in every Church.*

**T**HE Church-Wardens or Quest-Men at the common charge of the Parishioners in every Church shall provide a comely, and decent Pulpit to be set in a convenient place within the same, by the discretion of the Ordinary of the place, if any question do arise, and to be there seemely kept for the preaching of Gods Word.

### LXXXIIII.

*A chest for Almes in every Church.*

**T**HE Church-Wardens shall provide, and have within three Moneths after the publishing of these Constitutions, a strong chest, with an hole in the upper part thereof, to be provided at the charge of the Parish (if there be none such already provided) having three Keyes. Of which, one shall remain in the custody of the Parson, Vicar, or Curate, and the other two in the custody of the Church-Wardens for the time being, which chest they shall set

K 2

and

## Constitutions, and

And fasten in the most convenient place, to the intent the Parishioners may put it into their Almes for their poore neighbours. And the Parson, Vicar, or Curate, shall diligently from time to time, and especially when men make their Testament, call upon, exhort, and move their neyghbours to conferre, and give as they may well spare, to the said chest, declaring unto them, that whereas heretofore they have beene diligent to bestow much substance, otherwise then God commanded, upon superstitious uses: now they ought at this time to be much more ready to help the poor, and needy, knowing that to relieve the poore, is a sacrifice which pleaseth God, and that also whatsoever is given for their comfort, is given to Christ himselfe, and is so accepted of him, that he will mercifully reward the same. The which almes, and devotion of the people, the Keepers of the Keyes shall yeerely, quarterly, or oftner (as need requireth) take out of the chest, and distribute the same in the presence of most of the Parish, or sixe of the chief of them, to be truely, and faithfully delivered to their most poore, and needy neyghbours.

### LXXXV.

*Magnul. can. Az. Churches to be kept in sufficient reparations.*

**T**HE Church-wardens or Quest-men shall take care, and provide that the Churches be well, and sufficiently repayred, and so from time to time kept, and maintayned, that the Windowes be well glazed, and that the Floore be kept paved plain, and even, and all things there in such an orderly, and decent



## Canons Ecclesiasticall.

decent sort, without dust or any thing that may be either noysome, or unseemely, as becommeth the House of God, and is prescribed in an Homily to that effect. The like care they shall take, that the Church-yard be well, and sufficiently repayred, fenced, and mayntayned with Walles, Rayles, or Pales, as have beene in each place accustomed, at their charges unto whom by Law the same appertaineth: but especially they shall see that in every meeting of the congregation, peace be well kept, and that all persons Excommunicated, and so denounced, be kept out of the Church.

### LXXXVI.

*Churches to be surveyed, and the decayes certified to the high Commissioners.*

**E**Very Deane, Deane, and Chapter, Arch deacon, and other which have authority to hold Ecclesiastical Visitations by Composition, Law or Prescription, shall survey the Churches of his or their Jurisdiction, once in every three yeeres in his owne person, or cause the same to be done, and shall from time to time within the said three yeares, certifie the high Commissioners for causes Ecclesiasticall, every yeere, of such defects in any the said Churches, as he or they do finde to remayne unrepayred, and the names, and surnames of the parties faulty therein. Upon which certificate we desire that the sayd High Commissioners will *Ex officio mero* send for such parties, and compell them to obey the just, and lawfull Decrees of such Ecclesiastical Ordinaries, making such certificates.

# Constitutions, and

## LXXXVII.

*A Terrier of the Glebe-Lands, and other possessions belonging to Churches.*

*Mogunt. c. 40.* **W**EE ordaine that the Arch-Bishops, and all Bishops, within their severall Diocesses, shall procure (as much as in them lyeth) that a true note and Terrier of all the Glebes, Lands, Medowes, Gardens, Orchards, Houses, Stockes, Implements, Tenements, & portions of Tythes lying out of their Parishes, which belong to any Parsonage or Vicarage or rural Prebend, be taken by the view of honest men in every Parish, by the appointment of the Bishop, whereof the Minister to be one, and be laid up in the Bishops Registry, there to be for a perpetual memory thereof.

## LXXXVIII.

*Churches not to be prophaned.*

*3 Carth. 30.*  
*Frull. 97.*  
*Mogunt. c. 40.*  
*Isid. c. 28.*  
*Cabilon. f. 17.*  
*Ann. 5. 6. Edw. 6.*  
*Frull. 70.*  
*22 cantica*  
*urgie Mo-*  
*gunt. c. 48.*  
*Cabilon. 19.*  
*Orthobon constit. c. 2.*  
*13. Edw. 1. apud Winchester. c. 6. fine.*

**T**HE Church-Wardens or Quest-Men, and their Assitants shall suffer no Playes, Feasts, Banquets, Supper, Church-ales, Drinkings, Temporal Courts or Leetes, Lay-juries, Musters, or any other prophanous use to be kept in the Church, Chappel, or Church-Yard, neither the Bells to be rung superstitiously, upon Holy-dayes, or Eves, abrogated by the Book of Common Praier, nor at any other times, without good cause to be allowed by the Minister of the place, and by themselves.

*22 Meggithones non fiant in ecclesijs. 15 Ann.*

**Church**

*Not man to have a window into y<sup>e</sup> Church according to*

# Canons Ecclesiastical.

## Church-Wardens, or Quest-Men, and Side-Men, or Assistants.

### LXXXIX.

*The choice of Church-Wardens; and their account.*



**A**LL Church-Wardens or Quest-Men in every Parish, shall be chosen by the joynt consent of the Minister, and the Parishioners if it may be. But if they cannot agree upon such a choice, then the Minister shall choose one, and the Parishioners another, & without such a joynt or severall choice, none shall take upon them to be Church-Wardens, neither shall they continue any longer then one year in that office, except perhaps they be chosen again in like manner. And all Church-Wardens at the end of their year, or within a month after at the most, shall before the Minister, and the Parishioners give up a just account of such mony as they have received, and also what particularly they have bestowed in reparations, and otherwise for the use of the Church. And last of all going out of their office, they shall truly deliver up to the Parishioners whatsoever money, or other things of right belonging to the Church or Parish, which remain in their hands, that it may be delivered over by them to the next Church-Wardens by Bill indented.

*The*

# Constitutions, and

## X C.

*The choyse of Side-men, and their joynt Office with the Church-wardens.*

**T**He Church-wardens or Quest men of every Parish, and two or three or more discreet persons in every Parish to be chosen for Side-men or Assistants, by the Minister or Parishioners, if they can agree, (otherwise to be appoynted by the Ordinary of the Diocesse) shall diligently see, that all the Parishioners duely resort to their Church upon all Sundayes, and Holydayes, and there continue the whole time of Divine Service: and none to walke or to stand idle or talking in the Church, or in the Churchyard, or Church-porch during that time. And all such as shall be found slacke or negligent in resorting to the Church, (having no great, nor urgent cause of absence) they shall earnestly call upon them: and after due monition (if they amend not) they shall present them to the Ordinary of the place. The choyce of which persons, *viz.* Church-wardens or Quest-men, Side-men or Assistants shall be yearely made in Easter week.

## Parish Clarkes.

### XCI.

*Parish Clarkes to be chosen by the Minister.*



**N**O Parish Clarke upon any Vocation shall be chosen within the City of London, or elsewhere within the Province of Canterbury, but by the Parson or Vicar: or where there is no Parson or Vicar, by the Minister of that place for

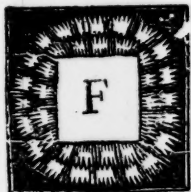
## Canons Ecclesiasticall.

for the time being : Which choyce shall be signified by the said Minister, Vicar, or Parson, to the Parishioners the next Sunday following in the time of Divine Service. And the said Cleark shall be of twenty yeares of age at the least : and known to the said Parson, Vicar, or Minister to be of honest conversation, and sufficient for his Reading, Writing, and also for his competent skill in singing (if it may be.) And the sayd Clearkes so chosen shall have, and receive their ancient wages, without fraud or diminution, either at the hand of the Church-Wardens at such times as hath been accustomed, or by their own collection, according to the most ancient custome of every Parish.

## Ecclesiasticall Courts belonging to the Arch-Bishops Iurisdiction.

### XCII.

*None to be cited into divers Courts for probate of the same Will.* *Lywood l. 3.  
tit. de testam  
entis.*



Forasmuch as many heretofore have been by Apparitors both of inferiour Courts, and of the Courts of the Arch-bishops Prerogative much distracted, and diversly called, and summoned for probate of Wills, or to take administrations of the goods of persons dying intestate, and are thereby vexed and grieved with many causeless, and unnecessary troubles, molestations, and expences : We constitute, and appoint, That all Chancellours,  
L Com-

## Constitutions, and

Commissaries, or Officials, or any other exercising Ecclesiasticall jurisdiction whatsoever, shall at the first, charge with an oath all persons called, or voluntarily appearing before them for the probate of any Will, or the Administration of any goods, whether they know, or (moved by any speciall inducement) doe firmly believe that the party deceased (whose Testament or goods depend now in question) had at the time of his or her death, any goods or good debts in any other Diocese or Diocesses, or peculiar jurisdiction within that Province, then in that wherein the said party dyed, amounted to the value of 5 l. And if the said persons cited, or voluntarily appearing before, shall upon his oath affirme, That he knoweth, or (as aforesaid) firmly believeth, that the said party deceased had goods or good debts in any other Diocese or Diocesses, or peculiar jurisdiction within the said Province, to the value aforesaid, and particularly specifie, and declare the same: then shall he presently dismiss him, not presuming to intermeddle with the probate of the said Will, or to grant administration of the goods of the party so dying intestate: neither shall he require or exact any other charges of the said parties, more then such onely as are due for the Citation, and other Proccesse had, and used against the said parties, upon their further contumacy: but shall openly, and plainly declare, and profess, that the said cause belongeth to the Prerogative of the Arch-Bishop of that Province, willing, and admonishing the party to prove the said Will, or require Administration of the said goods in the Court of the said Prerogative, and to exhibite  
before

# Canons Ecclesiasticall.

## XCIIII.

*None to be cited into the Arches, or Audience, but dwellers within the Arch-bishops Diocefs or Peculiars.*

**N**O Deane of the Arches, nor Officiall of the Arch-bishops Consistory, nor any Iudge of the Audience, shall henceforword in his own name, or in the name of the Arch-bishop either *Ex officio*, or at the instance of any party, originally cite, summon, or any way compell, or procure to be cited, summoned, or compelled, any person which dwelleth not within the particular Dioceffe or peculiar of the said Arch-bishop to appeare before him or any of them for any cause or matter whatsoever, belonging to Ecclesiastical cognizance, without the Licence of the Diocefsan first had, and obtained in that behalfe, other then in such particular cases onely, as are expressely excepted, and reserved in, and by a Statute *Anno 23 Hen. 8. cap. 9.* And if any of the said Judges shall offend herein, he shall for every such offence be suspended from the exercise of his office for the space of three whole moneths.

## XCV.

*The restraint of double Quarrels:*

**A**Lbeit by former Constitutions of the Church of England, every Bishop hath had two moneths space to enquire, and informe himselfe of the sufficiency and quality of every Minister, after he hath been presented to him to be instituted into any Benefice: yet for the avoyding of some inconveniences,



## Constitutions, and

ces, we do now abridge, and reduce the said two moneths into eight and twenty dayes onely. In respect of which abridgement, we ordain, and appoint, that no double Quarrell shall hereafter be granted, out of any of the Arch-bishops Courts at the suit of any Minister whosoever, except he shall first take his personall oath, that the said eight and twenty dayes at the least are expired, after he first tendered his presentation to the Bishop, and that he refused to grant him Institution thereupon: or shall enter into bonds with sufficient sureties to prove the same to be true, under paine of suspension of the granter thereof from the execution of his Office, for halfe a yeare *toties quoties* to be denounced by the said Arch-bishop, and Nullity of the double quarrell aforesaid, so duely procured to all intents, and purposes whatsoever. Always provided that within the said eight and twenty dayes, the Bishop shall not institute any other to the prejudice of the said party before presented, *sub pena nullitatis*.

### XCVI.

*Inhibitions not to be granted without the subscription of an Advocate.*

**T**Hat the jurisdiction of Bishops may be preserved (as neer as may be) entire, and free from prejudice, and for that behoofe of the Subjects of this Land, better Provision be made, that hence forward they be not grieved with frivolous, and wrongfull suits, and molestations: It is ordained, and provided, that no Inhibition shall be granted out of any Court, belonging to the Arch-bishop of *Canterbury* at the instance of any

## Canons Ecclesiasticall,

before him the said Judge, the probate or administration under the Seale of the Prerogative, within forty dayes next following. And if any Chancellor, Commissary, Officiall, or other exercising Ecclesiasticall jurisdiction whatsoever, or any other Register shall offend herein, let him be *ipso facto* suspended from the execution of his office, not to be absolved or released, untill he have restored to the party all expences by him layd out contrary to the tenour of the premisses: and every such probate of any Testament or administration of goods so granted, shall be held voyd, and frustrate to all effects of the Law whatsoever. Furthermore we charge, and enioyne, that the Register of every inferiour Judge do, without all difficulty or delay, certifie, and inform the Apparitor of the Prerogative Court, repaying unto him once a moneth, and no oftner, what Executors or Administrators have been by his said Judge, for the incompetency of his owne jurisdiction, dismissed to the said Prerogative Court within the moneth next before, under paine of a moneths suspension from the exercise of his Office for every default therein. Provided, that this Canon or any thing therein contained, be not prejudicial to any composition betweene the Arch-bishop, and any Bishop or other Ordinary, nor to any inferiour Judge that shall grant any probate of Testament or Administration of goods to any party that shall voluntarily desire it, but out of the said inferiour Court, and also out of the Prerogative. Provided likewise, that if any man dye *in itinere*, the goods that he hath about him at that present, shall not cause his Testament or Admini-

# Constitutions, and nistration to be lyable to the Prerogative Court.

## X C I I I.

*The Rate of Bona notabilia lyable to the Prerogative Court.*

**F**urthermore we decree, and ordain, that no Judge of the Arch Bishops Prerogative, shall henceforward cite, or cause to be cited *Ex officio*, any person whatsoever, to any of the foresaid intents, unlesse he have knowledge that the party deceased was at the time of his death, possessed of goods and cattel in some other Diocess or Diocesses, or peculiar Jurisdiction within that Province, then in that wherein he dyed, amounting to the value of five pounds at the least, decreeing, and declaring, that who so hath not goods in divers Diocesses to the said sum or value, shall not be accounted to have *bona notabilia*. Alwayes provided, that this cause here, and in the former Constitution mentioned, shall not prejudice those Diocesses where by composition or custome, *bona notabilia* are rated at a greater summe. And if any Judge of the Prerogative Court, or any his Surrogate or his Register or Apparitor, shall cite, or cause any person to be cited into his Court, contrary to the tenour of the premisles, he shall restore to the party so cited, all his costs, and charges, and the Acts, and Proceedings in that behalfe shall be held voyd, and frustrate. Which expences if the said Judge or Register, or Apparitor, shall refuse accordingly to pay, he shall be suspended from the exercise of his Office, untill he yeild to the performance thereof.

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*None*

## Canons Ecclesiastical.

any party, unlesse it be subscribed by any Advocate practising in the said Court: which the said Advocate shall do freely, not taking any Fee for the same, except the party prosecuting the suit, do voluntarily bestow some gratuity upon him for his counsell, and advice in the said cause. The like course shall be used in granting forth any Inhibition at the instance of any party by the Bishop or his Chancellour, against the Arch-deacon, or any other person exercising Ecclesiasticall jurisdiction; and if in the Court or Consistory of any Bishop there be no Advocate at all, then shall the subscription of a Proctor practising in the same Court, be held sufficient.

### XCVII.

*Inhibitions not to be granted, untill the Appeale be exhibited to the Judge.*

**I**T is further ordered, and decreed, that henceforward no Inhibition be granted by occasion of any Interlocutory decreed, or in any cause of correction whatsoever, except under the forme aforesaid: and moreover, that before the going out of any such Inhibition, the Appeale it selfe, or a copy thereof (avouched by oath to be just, and true) be exhibited to the Judge, or his lawfull Surrogate, whereby he may be fully informed, both of the quality of the crime, and of the cause of the grievance, before the granting forth of the said Inhibition. And every Appellant or his lawfull Proctor shall, before the obtaining of any such Inhibition, shew, and exhibite to the Judge or his Surrogate in writing, a  
true

## Constitutions, and

true copy of those Acts wherewith he complaieth himselfe to be agrieved, and from which he appealeth, or shall take a corporall oath that he hath performed his diligence, and true endeavour for the obtaining of the same, and could not obtain it at the hands of the Register in the Countrey, or his Deputy, tendring him his fee. And if any Judge or Register shall either procure or permit any Inhibition to be sealed, so as is said, contrary to the forme, and limitation above specified, let him be suspended from the execution of his office, for the space of three moneths: If any Proctor, or other person whatsoever by his appointment, shall offend in any of the premisses, either by making or sending out any Inhibitions contrary to the tenour of the said premisses, let him be removed from the exercise of his Office for the space of a whole year, without hope of release or restoring.

### XCVIII.

*Inhibitions not to be granted to factious Appellants, unlesse they first subscribe.*

**F**Orasmuch as they who breake the Lawes, cannot in reason clayme any benefit or protection by the same: We decree, and appoint, That after any Judge Ecclesiasticall hath proceeded judicially against obstinate, and factious persons, and contemners of Ceremonies, for not observing the Rites, and Orders of the Church of ENGLAND, or for contempt of publique Prayer; no Judge *Ad quem* shall admit or allow any his or their Appcales, unlesse he having first seene the originall Appeale, the party

## Canons Ecclesiasticall.

party appellat do first personally promise, and avow that he will faithfully keep, and observe all the Rites and Ceremonies of the Church of England, as also the prescript form of Common Prayer; and do likewise subscribe to the three Articles formerly by us specified and declared.

### XCIX.

*None to marry within the degrees prohibited.*

**N**O person shall marry within the degrees prohibited by the Lawes of God, and expressed in a Table set forth by authority in the yeare of our Lord God, 1563. and all marriages so made, and contracted, shall be adjudged incestuous, and unlawfull, and consequently shall be dissolved as voyd from the beginning, and the parties so married shall by course of Law be separated. And the aforesaid Table shall be in every Church publicely set up, and fixed at the charge of the Parish.

### C.

*None to marry under xxi. yeares, without their Parents consent.*

**N**O children under the age of one, and twenty yeares compleat, shall contract themselves, or marry without the consent of their Parents, or of their Guardians, and Governours, if their Parents be deceased.

### CI.

*By whom Licences to marry without Banes shall be granted, and to what sort of persons.*

**N**O Faculty or Licence shall be henceforth granted for solemnization of Matrimony betwixt

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any

## Constitutions, and

any parties, without thrice open publication of the Banes according to the book of Common Prayer, by any person exercising any Ecclesiasticall jurisdiction, or claiming any priviledges in the right of their Churches: but the same shalbe granted onely by such as have Episcopal authority, or the Commissary for Faculties, Vicars generall of the Arch-bishops, and Bishops *sede plena*, or *sede vacante*, the Guardian of the spiritualties, or Ordinaries exercising of right Episcopal jurisdiction in their severall jurisdictions respectively, and unto such persons onely as be of good state, and quality, and that upon good caution, and security taken.

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### CII.

*Security to be taken at the granting of such Licences, and under what condition.*

**T**He security mentioned shall containe these conditions: First, that at the time of the granting every such Licence, there is not any impediment of precontract, consanguinity, affinity, or other lawfull cause to hinder the said marriage. Secondly, that there is not any controversie, or suit depending in any Court before any Ecclesiasticall Judge, touching any contract, or marriage of either of the sayd parties with any other. Thirdly, that they have obtained thereunto the expresse consent of their Parents (if they be living) or otherwise of their Guardians or Governours. Lastly, that they shall celebrate the sayd Matrimony publicly in the Parish Church or Chappell where one of them dwelleth, and in no other place, and that between the hours of eight, and twelve in the forenoon.

*Oathes*



# Canons Ecclesiasticall:

## CIII.

*Oaths to be taken for the conditions.*

**F**Or the avoiding of all fraud, and collusion in the obtaining of such Licences, and Dispensations: We further constitute, and appoynt, That before any Licence for the celebration of Matrimony, without publication of Banes be had or granted, it shall appear to the Judge by the oaths of two sufficient witnesses, one of them to be known eyther to the Judge himself, or to some other person of good reputation then present, and known likewise to the said Judge, that the expresse consent of the Parents, or Parent, if one be dead, or Guardians, or Guardian of the parties is thereunto had, and obtained. And furthermore that one of the parties personally swear, that he believeth there is no let or impediment of precontract, kindred, or alliance, or of any other lawfull cause whatsoever, nor any suit commenced in any Ecclesiasticall Court, to barre or hinder the proceedings of the said Matrimony, according to the tenour of the aforesaid Licence.

## CIIII.

*An exception for those that are in Widowhood.*

**I**F both the parties which are to marry being in Widowhood, do seeke a faculty for the forbearing of Banes, then the clauses before mentioned, requiring the Parents consents, may be omitted: but the parishes where they dwell both shall be expressed in the Licence, as also the Parish named where the Marriage shall be celebrated. And if any Commissary for Faculties, Vicars generall, or other the sayd

## Constitutions, and

Ordinaries shall offend in the premisses, or any part thereof, he shall for every time so offending, be suspended from the execution of his office for the space of six moneths: and every such Licence or dispensation shall be held voyd, to all effects, and purposes, as if there had never been any such granted: and the parties marrying by vertue thereof, shall be subject to the punishments which are appointed for clandestine Marriages.

### CV.

*No Sentence for Divorce to be given upon the sole confession of the parties.*

**F**Orasmuch as Matrimoniall causes have been alwayes reckoned, & reputed amongst the weightiest, and therefore require the greater caution when they come to be handled, & debated in judgement, specially in causes wherein Matrimony having been in the Church duely solemnized, is required upon any suggestiō or pretext whatsoever to be dissolved or annulled: We do straightly charge, and enjoin, that in all proceedings to Divorce, and Nullities of Matrimony, good circumspection & advice be used, and that the truth may (as far as is possible) be sifted out by the deposition of witnesses, and other lawfull proofs, and evictions, and that the credit be not given to the sole confession of the parties themselves, howsoever taken upon oath either within or without the Court.

# Canons Ecclesiasticall:

## CVI.

*No sentences of Divorce to be given but in open Court.*

**N**O Sentence shall be given either for separation *à thoro & mensa*, or for annulling of pretended Matrimony, but in open Court, & in the seat of Justice, and that with the knowledge, and consent either of the Archbishop within his Province, or of the Bishop within his Diocese, or of the Dean of the Arches, the Judge of the Audience of *Canterbury*, or of Vicars generall, or other principall Officials, or *sede vacante*, of the Guardians of the Spiritualties, or other Ordinaries to whom of right it appertaineth in their severall Jurisdictions, and Courts, and concerning them onely that are then dwelling under their jurisdiction.

## CVII.

*In all Sentences for Divorce, bonds to be taken for not marrying, during each others life.*

**I**N all sentences pronounced only for divorce, and separation, *à thoro & mensa*; there shall be a caution, and restraint inferred in the Act of the said sentence: That the parties so separated, shall live chastly, and continently; neither shall they during each others life, contract Matrimony with any other person. And for the better observing this last clause, the said Sentence of Divorce shall not be pronounced, untill the party or parties requiring the same, have given good, and sufficient caution, and security into the Court, that they will not any way break or transgress the said restraint or prohibition.

*El. hist. can. 9  
1. prelat. 10.*

# Constitutions, and

## CVIII.

*The penalty for Judges offending in the premises.*

**A**nd if any Judge giving Sentence of Divorce or Separation, shall not fully keep, and observe the premises, he shall be by the Arch-bishop of the Province, or by the Bishop of the Diocesse, suspended from the exercise of his Office for the space of a whole year, and the sentence of Separation so given contrary to the form aforesaid, shall be held voyd to all intents, and purposes of the Law, as if it had not at all been given or pronounced.

## Ecclesiastical Courts belonging to the Jurisdiction of Bishops, and Arch-Deacons, *and the proceedings in them.*

## CIX.

*Notorious crimes, and scandals to be certified into Ecclesiastical Courts by presentment.*



**E**very offend their brethren, either by Adultery, Whoredom, Incest, or Drunkenness, or by Swearing, Ribaldry, Usury, or any other uncleanness, and wickedness of life, the Church-wardens or Quest-men, and Side-men in their next Presentments to their Ordinaries, shall faithfully present all, and every of the said offenders, to the intent that they, & every of them may be punished by the severity of the Lawes, according to their deserts, and such notorious offenders shal not be admitted to the holy Communion till they be reformed. *schif-*

## Canons Ecclesiasticall.

CX,

*Schismaticks to be presented.*

**I**F the Church-wardens, or Quest-men, or Assistants doe or shall know any man within their Parish or elsewhere, that is a hinderer of the Word of God to be read or sincerely preached, or of the execution of these our Constitutions, or a fautor of any usurped or forreign power by the Lawes of this Realm justly rejected, and taken away, or a defender of Popish, and erroneous Doctrine: they shall detect, and present the same to the Bishop of the Diocese or Ordinary of the place, to be censured, and punished according to such Ecclesiasticall Lawes as are prescribed in that behalf.

CXI.

*Disturbers of Divine Service to be presented.*

**I**N all Visitation of Bishops, and Arch-deacons, the Church-wardens or Quest-men, and Side-men shall truly, and personally present the names of all those which behave themselves rudely or disorderly in the Church, or which by untimely ringing of Bells, by walking, talking, or other noyse shall hinder the Minister or Preacher.

CXII.

*Not Communicants at Easter to be presented.*

**T**HE Minister, Church-wardens, Quest-men, and Assistants of every Parish Church, and Chappell, shall yearly within forty dayes after Easter, exhibit to the Bishop or his Chancellour, the names, and surnames of all the Parishioners, aswell men as women, which being at the age of sixteen yeares, received not the Communion at Easter before.

*Ministers*

# Constitutions, and

CXIII.

*Ministers may present.*

**B**Ecause it often commeth to passe that the Church-wardens, Side-men, & Quest-men, and such other persons of the Layty as are to take care for the suppressing of sinne, and wickednesse in their severall Parishes, as much as in them lyeth, by admonition, reprehension, and denunciation to their Ordinaries, doe forbear to discharge their duties therein, either through feare of their Superiours, or through negligence, more then were fit, the licentiousnesse of these times considered: We ordain, that hereafter every Parson and Vicar, or in the lawfull absence of any Parson or Vicar, then their Curats, and Substitutes may joyne in every presentment with the said Church-wardens, Side-men, and the rest above mentioned at the times hereafter limited, if they the said Church-wardens, and the rest will present such enormities as are apparant in the Parish: or if they will not, then every such Parson, and Vicar, or in their absence, as is aforesaid, their Curates may themselves present to their Ordinaries at such times, and when else they thinke it meete, all such crimes as they have in charge, otherwise, as by them (being the person that should have the chiefe care for the suppressing of sinne, and impiety in their Parishes) shall be thought to require due reformation. Provided alwayes, that if any man confesse his secret, and hidden sinnes to the Minister for the unburthening of his conscience, and to receive spirituall consolation, and ease of minde from him: We doe not any way binde the said Minister by this  
our

## Canons Ecclesiasticall.

our Constitution, but do straightly charge, and admonish him, that he do not at any time reveale, and make known to any person whatsoever, any crime or offence so committed to his trust, and secrecy (except they be such crimes as by the Lawes of this Realm. his owne life may be called into question for concealing the same) under pain of irregularity.

### CXIV.

*Ministers shall present Recusants.*

**E**very Parson, Vicar, or Curate shall carefully informe themselves every yeare hereafter, how many Popish Recusants, men, women, and children above the age of thirteene yeares, and how many being Popishly given (who though they come to the Church, yet doe refuse to receive the Communion) are Inhabitants, or make their abode, either as Sojourners or common Ghests in any of their severall Parishes, and shall set their true names in writing (if they can learne them) or otherwise, such names as for the time they carry, distinguishing the absolute Recusants from halfe Recusants: and the same, so farre as they know or believe, so distinguished, and set downe under their hand, shall truly present to their Ordinaries before the Feast of the Nativity next ensuing, under paine of suspension to be inflicted upon them by their said Ordinaries: and so every yeare hereafter upon the like paine, before the Feast of Saint *John Baptist*. Also we ordaine, that all such Ordinaries, Chancellours, Commissaries, Arch-deacons, Officials, and all other Ecclesiasticall Officers, to whom the said presentments shall be exhibited, shall likewise within one moneth after

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## Constitutions, and

the receipt of the same, under payne of suspension by the Bishop from the execution of their office for the space of halfe a year (as often as they shall offend therein) deliver them, or cause to be delivered to the Bishop respectively : who shall also exhibit them to the Arch-bishop within six weeks, and the Arch-bishop to his Majesty within other six weeks, after he hath received the said presentment.

### CXV.

*Ministers, and Church wardens not to be sued for presenting.*

**W** Hereas for the reformation of criminous persons, and disorders in every Parish, the Church-wardens, Quest-men, Side-men, and such other Church Officers are sworn, and the Minister charged to present as well the crimes, and disorders committed by the said criminous persons, as also the common fame which is spread abroad of them, whereby they are often maligned, and sometimes troubled by the sayd Delinquents or their friends : We doe admonish, and exhort all Judges both Ecclesiasticall, and Temporall, as they regard, and reverence the fearfull Judgement-seat of the highest Judge, that they admit not in any of their Courts, any complaint, plea, suit, or suits, against any such Church-wardens, Quest-men, Side-men, or other Church Officers for making any such presentments, nor against any Minister for any presentments that he shall make : all the said presentments tending to the restraint of shamelesse impiety ; and considering that the rules both of charity, and government, do presume that they did nothing therein of malice, but for the discharge of their consciences.

*Church.*

## Canons Ecclesiasticall.

### CXVI.

*Church-wardens not bound to present oftner then twice a yeare.*

**N**O Church-wardens, Quest-Men, or Side-men of any Parish shall be inforced to exhibit their presentments to any having any Ecclesiasticall jurisdiction above once in every yeare, where it hath been no oftner used, nor above twice in any Diocesse whatsoever, except it be at the Bishops Visitation. For the which presentments of every Parish Church or Chapel, the Register of any Court where they are to be exhibited, shall not receive in one year above four pence under pain for every offence therein, of suspension from the execution of his office for the space of one moneth *toties quoties*. Provided always that as good occasion shall require, it shall be lawfull for every Minister, Church-Wardens, and Side men, to present offenders as oft as they shall think meet. And likewise for any godly disposed person, or for any Ecclesiastical Judge upon knowledge or notice given unto him or them, of any enormous crime within his jurisdiction, to move the Minister, Church-wardens, or Side-men, as they tender the glory of God, and reformation of sin, to present the same: and if they shall finde sufficient cause to induce them thereto, that it may be in due time punished, and reformed. Provided that for these voluntary presentments, there be no Fee required or taken of them, under the pain aforesaid.

### CXVII.

*Church-wardens not to be troubled for not presenting oftner then twice a yeare.*

## Constitutions, and

**N**O Church-wardens, Quest-men, or Side-men shall be called or cited, but onely at the said time or times before limited, to appear before any Ecclesiasticall Judge whatsoever, for refusing at other times to present any faults committed in their Parishes, and punishable by Ecclesiasticall Laws. Neither shall they or any of them, after their presentments exhibited at any of those times, be any further troubled for the same, except upon manifest, and evident proof it may appeare, that they did then willingly, and wittingly omit to present some such publique crime or crimes as they knew to be committed, or could not be ignorant that there was then a publique fame of them, or unless there be very just cause to call them for the explanation of their former presentments. Which case of wilfull omission, their Ordinaries shall proceed against them in such sort, as in causes of wilfull perjury in a Court Ecclesiasticall, it is already by Law provided.

### CXVIII.

*The old Church wardens to make their presentments before the new be sworn.*

**T**He office of all Church-wardens, and Side men shall be reputed ever hereafter to continue, until the new Church-wardens that shall succeed them be sworne, which shall be the first weeke after *Easter*, or some weeke following, according to the direction of the Ordinary. Which time so appointed, shall always be one of the two times in every yeare, when the Minister, and Church-wardens, and Side-men of every Parish shall exhibit to their severall Ordinaries the presentments of such enormities as have happened in their Parishes since their last presentments. And this duty they

## Canons Ecclesiasticall.

they shall performe before the newly chosen Church-wardens, and Side-men be sworn, and shall not be suffered to passe over the said Presentments to those that are newly come into office, and are by intendment ignorant of such crimes, under paine of those censures which are appointed for the reformation of such dalliers and dispensers with their own consciences.

### CXIX.

*Convenient time to be assigned for framing presentments.*

**F**Or the avoyding of such inconveniences as heretofore have happened by the hasty making of Bills of Presentments, upon the dayes of the Visitation, and Synods: it is ordered, That alwayes hereafter every Chancellor, Arch. Deacon, Commissary, and Officiall, and every other person having Ecclesiasticall jurisdiction, at the ordinary time when the Church-wardens are sworn: and the Arch. bishop, and Bishops, when he or they do summon their Visitation, shall deliver, or cause to be delivered to the Church-wardens, Quest-men, and Side-men of every Parish, or to some of them, such bookes of Articles as they or any of them shall require for the yeare following, the said Church-wardens, Quest-men, & Side-men to ground their presentments upon at such times as they are to exhibit them. In which Book, shall be contained the forme of an oath which must be taken immediately before every such presentment: to the intent that having beforehand time sufficient, not onely to peruse, and consider what their said oath shall be, but the Articles also whereupon they are to ground their presentments, they may frame them at home both advisedly, and truly, to the discharge of their owne conscience, after they are

## Constitutions, and

sworne, as becometh honest, and godly men.

### CXX.

*None to be cited into Ecclesiasticall Courts by Processe of Quorum nomina.*

**N**O Bishop, Chancellor, Arch-deacon, Official, or other Ecclesiasticall Judge shall suffer any general Processe of *Quorum nomina*, to be sent out of his Court: except the names of all such as thereby are to be cited, shall be first expressly entred by the hand of the Register, or his Deputy, under the said Processe, and the said Processe, and names be first subscribed by the Judge, or his Deputy, and his Seale thereto affixed.

### CXXI.

*None to be cited into severall Courts for one crime.*

**I**N places where the Bishop, and Arch-deacon doe by prescription or composition visit at severall times in one, and the same yeare, lest for one, and the self-same fault any of his Majesties Subjects should be challenged, and molested in divers Ecclesiasticall Courts: We order, and appoint, That every Arch-deacon, or his Official, within one moneth after the Visitation ended that yeare, and the presentments received, shall certifie under his Hand, and Seale, to the Bishop or his Chancellor, the names, and crimes of all such as are detected, and presented in his said Visitation, to the end the Chancellour shall henceforth forbear to convent any person for any crime or cause so detected or presented to the Arch-deacon: And the Chancellour within the like time after the Bishops Visitation ended, and Presentments received, shall  
under

## Canons Ecclesiasticall.

Under his Hand, and Seale signifie to the Arch-deacon or his Officiall, the names, and crimes of all such persons which shall be detected or presented unto him in that Visitation, to the same intent as is aforesaid. And if these Officers shall not certifie each other as is here prescribed, or after such Certificate shall intermeddle with the crimes or persons detected, and presented in each others Visitation: then every of them so offending, shall be suspended from all exercise of his jurisdiction, by the Bishop of his Diocess, untill he shall repay the costs, and expences which the parties grieved have been at by that vexation.

### CXXII.

*No sentence of Deprivation or Deposition to be pronounced against a Minister, but by the Bishop.*

**W**Hen any Minister is complained of, in any Ecclesiasticall Court belonging to any Bishop of this Province for any crime, the Chancellour, Commissary, Officiall or any other having Ecclesiasticall jurisdiction to whom it shall appertain, shall expedite the cause by Processes, and other proceedings against him: and upon contumacy for not appearing, shall first suspend him, and afterward his contumacy continuing, excommunicate him. But if he appeare, and submit himselfe to the course of Law, then the matter being ready for sentence, and the merits of his offence, exacting by Law either deprivation from his Living, or deposition from the Ministry, no such sentence shall be pronounced by any person whatsoever, but onely by the Bishop, with the assistance of his Chancellour, the Deane, (if they may

## Constitutions, and

may conveniently be had) and some of the Prebendaries, if the Court be kept neer the Cathedrall Church, or of the Arch-deacon, if he may be had conveniently, and two other at the least grave Ministers and Preachers to be called by the Bishop, when the Court is kept in other places.

### CXXIII.

*No Act to be speed but in open Court.*

**N**O Chancellor, Commissary, Arch-deacon, Official, or any other person using Ecclesiasticall jurisdiction whosoever, shall speed any judiciall Act either of contentions or voluntary jurisdiction, except he have the Ordinary Register of that Court, or his lawfull deputy, or if he or they will not, or cannot be present, then such persons as by law are allowed in that behalf, to write or speed the same, under paine of suspension *ipso facto*.

### CXXIV.

*No Court to have more then one Seale.*

**N**O Chancellor, Commissary, Arch-deacon, Official, or any other exercising Ecclesiasticall jurisdiction, shall without the Bishops consent have any more Seales then one, for the sealing of all matters incident to his office. Which Seale shall alwayes be kept either by himselfe, or by his lawfull Substitute exercising jurisdiction for him, and remaining within the jurisdiction of the said Judge, or in the City or principall Town of the Countrey. This shall contain the title of that jurisdiction, which every of the said Judges or their Deputies do execute.

*Convenient*



# Canons Ecclesiasticall.

## CXXV.

*Convenient places to be chosen for the keeping of Courts.*

**A**Ll Chancellours, Commissaries, Arch-deacons, Officials, and all other exercising Ecclesiasticall jurisdiction, shall appoint such meet places for the keeping of their Courts by the assignement or approbation of the Bishop of the Diocese, as shall be convenient for entertainment of those that are to make their appearance there, and most indifferent for their travell. And likewise they shall keep, and end their Courts in such convenient time, as every man may return homewards in as due season as may be.

## CXXVI.

*Peculiar, and inferiour Courts to exhibit the originall copies of Wills into the Bishops Registry.*

**W**Hereas Deanes, Arch-deacons, Prebendaries, Parsons, Vicars, and other exercising Ecclesiasticall jurisdiction, clayme liberty to prove the last Wils, and Testaments of persons deceased within their severall Jurisdictions, having no knowne nor certaine Registers, nor publique place to keepe their Records in, by reason whereof many Wills, Rights, and Legacies upon the death or change of such persons, and their private Notaries, miscarry, and cannot be found, to the great prejudice of his Majesties Subjects: We therefore order, and enioyne, that all such Possessors, and exercisers of peculiar jurisdiction, shall once in every yeare exhibit into the publique Registry of the Bishop of the Diocese, or of the Deane, and Chapter under whose jurisdiction the said Peculiars are, every originall

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## Constitutions, and

ginall Testament of every person in that time deceased, and by them proved in their severall peculiar Jurisdictions, or a true Copy of every such Testament examined, subscribed, and sealed by the peculiar Judge, and his Notary. Otherwise if any of them faile so to do, the Bishop of the Diocess, or Deane, and Chapter, unto whom the said jurisdictions do respectively belong, shall suspend the said parties, and every of them from the exercise of all such peculiar jurisdiction, until they have performed this our Constitution.

## Judges Ecclesiasticall, and their Surrogates.

CXXVII.

*The quality, and Oath of Judges.*



None shall hereafter be admitted a Chancellor, Commissary, or Official, to exercise any Ecclesiasticall jurisdiction, except he be of the full age of six and twenty yeares at the least, and one that is learned in the Civil, and Ecclesiasticall Laws, and is at the least a Mr. of Arts, or Bachellor of Law, and is reasonably well practised in the course thereof, as likewise well affected, and zealously bent to Religion, touching whose life, and manners no evill example is had, and except before he enter into, or execute any such office, he shall take the Oath of the Kings Supremacy in the presence of the Bishop, or in the open Court, and shall subscribe to the Articles of Religion agreed upon in the Convocation in the yeare one thousand, five hundreth

## Canons Ecclesiasticall.

hundreth sixty, and two, and shall also swear that he will to the uttermost of his understanding, deale uprightly, and justly in his office, without respect or favour or reward: the said oaths, and subscription to be recorded by a Register then present. And likewise all Chancellours, Commissaries, Officials, Registers, and all other that do now possesse or execute any places of Ecclesiasticall Jurisdiction, or Service, shall before Christmas next, in the presence of the Arch-bishop, or Bishop, or in open Court, under whom or where they exercise their Offices, take the same oaths, and subscribe, as before is said: or upon refusall so to do, shall be suspended from the execution of their Offices, untill they shall take the said oaths, and subscribe as aforesaid.

### CXXVIII.

*The quality of Surrogates.*

**N**O Chancellor, Commissary, Arch-Deacon, Officiall, or any other person using Ecclesiasticall Jurisdiction, shall at any time substitute in their absence any to keep any Court for them, except he be either a grave Minister, and a Graduate, or licensed publique Preacher, and a Beneficed man neere the place where the Courts are kept, or a Batchelour of Law, or a Master of Arts at least, who hath some skill in the Civill, and Ecclesiasticall Law, and is a favourer of true Religion, and a man of modest, and honest conversation, under paine of suspension for every time that they offend therein, from the execution of their Offices for the space of three moneths *toties quoties*. And he likewise that is deputed, being not qualified as before expressed, and yet shall presume

## Constitutions, and

to be a Substitute to any Judge, and shall keepe any Court as is aforesaid, shall undergo the same censure in manner, and form as is before expressed.

### Proctors.

#### CXXIX.

*Proctors not to retaine causes without the lawfull assignement of the parties.*



One shall procure in any causes whatsoever, unlesse he be thereunto constituted, and appointed by the party himself, either before the Judge, and by Act in Court, or unlesse in the beginning of the Suit, he be by a true, and sufficient Proxies thereunto warranted, and enabled: We call that Proxy sufficient, which is strengthened, and confirmed by some authentical Seal, the parties approbation, or at least his ratification therewithall concurring. All which Proxies shall be forthwith by the said Proctors exhibited into the Court, and be safely kept, and preserved by the Register in the publique Registry of the said Court. And if any Register or Proctor shall offend herein he shall be seclused from the exercise of his Office for the space of twomoneths, without hope of release or restoring.

#### CXXX.

*Proctors not to retaine Causes without the Counsell of an Advocate.*

For lessening, and abridging the multitude of Suits, and contentions, as also for preventing the complaints of Suits in Courts Ecclesiasticall, who many times are overthrowen by the oversight and negligence,  
or

## Canons Ecclesiastical.

or by the ignorance and insufficiency of Proctors, and likewise for the furtherance, and encrease of learning, and the advancement of civill, and canon Law, following the laudable customes heretofore observed in the Courts pertaining to the Arch-bishop of *Canterbury*: We will, and ordain, that no Proctor exercising in any of them, shall entertain any cause whatsoever, and keep and retain the same for two Court dayes, without the counsell and advice of an Advocate, under payne of a yeares suspension from his practice; neither shall the Judge have power to release or mitigate the said penalty, without expresse Mandate, and authority from the Arch-bishop aforesaid.

### CXXXI.

*Proctors not to conclude in any cause, without the knowledge of an Advocate.*

**N**O Judge in any of the said Courts of the Arch-Bishop, shall admit any Libell, or any other matter, without the advice of an Advocate admitted to practice in the same Court, or without his subscription; neither shall any Proctor conclude any cause depending, without the knowledge of the Advocate retained, and feed in the cause: which if any Proctor shall do, or procure to be done, or shall by any colour whatsoever defraud the Advocate of his duty or Fee, or shall be negligent in repairing to the Advocate, and requiring his advice, what course is to be taken in the cause, he shall be suspended from all practice for the space of sixe moneths, without hope of being thereunto restored, before the said terme be fully complete.

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## CXXXII.

*Proctors prohibited the Oath In animam Domini sui.*

**F**Orasmuch as in the probate of Testaments, and suits for administration of the goods of persons dying intestate, the oaths usually taken by Proctors of Courts *In animam constituentis*, is found to be inconvenient: We do therefore decree, and ordaine, That every Executor or Suitor for Administration, shall personally repair to the Judge in that behalfe, or his Surrogate, and in his owne person (and not by Proctor) take the oath accustomed in these cases. But if by reason of sicknesse or age, or any other just let or impediment, he be not able to make his personall appearance before the Judge, it shall be lawfull for the Judge (there being faith first made by a credible person, of the truth of his said hinderance or impediment) to grant a Commission to some grave Ecclesiasticall person abiding neer the party aforesaid, whereby he shall give power, and authority to the said Ecclesiasticall person in his stead to minister the accustomed oath above mentioned, to the Executor or Suitor for such administration, requiring the said Substitute, that by a faithfull, and trusty messenger he certifie the said Judge truly, and faithfully what he hath done therein. Lastly, we ordain, and appoint, That no Judge or Register, shall in any wise receive for the Writing, Drawing, or Sealing of any such Commission, above the sum of six shillings, and eight pence: wherof one moytie to be for the Judge, and the other for the Register of the said Court.

*Proctors*



# Canons Ecclesiasticall:

## CXXXIII.

*Proctors not to be clamorous in Court.*

**F**Orasmuch as it is found by experience, that the loud, and confused cries, and clamors of Proctors in the Courts of the Arch-bishop, are not onely trouble. some, and offensive to the Judge, and Advocates, but also give occasion to the standers by, of contempt, and calumny toward the Court it selfe: that more respect may be had to the dignity of the Judge, then heretofore, and that causes may more easily, and commodiously be handled, and dispatched; We charge, and enjoin, That all Proctors in the said Courts do especially intend, that the Acts be faithfully entred, and set down by the Register, according to the advice, and direction of the Advocate, that the said Proctors refrain loud speech, and brabling, and behave themselves quietly, and modestly, and that when either the Judges, or Advocates, or any of them shall happen to speak, they presently be silent upon pain of silencing for two whole Terms then immediatly following every such offence of theirs. And if any of them shall the second time offend herein, and after due monition shall not reforme himself: let him be for ever removed from his practice.

## Registers.

### CXXXIIII.

*Abuses to be reformed in Registers.*



Any Register, or Deputy, or Substitute whatsoever, shall receive any Certificate without the knowledge, and consent of the Judge of the Court, or willingly omit to  
cause



## Constitutions, and

cause any persons cited to appear upon any Court, and to be called, or unduly put off, and defer the examination of Witnesses to be examined by a day set, and assigned by the Judge, or do not obey, and observe the judiciall, and lawfull motion of the said Judge, or omit to write, or cause to be written such Citations, and decrees, as are to be put in execution, and set forth before the next Court-day, or shall not cause all Testamēts exhibited in his Office, to be Registred within a convenient time, or shall set down or enact as decreed by the Judge any thing false, or conceited by himself, and not so ordered or decreed by the Judge, or in the transmission of Processess to the Judge *Ad quem*, shall add or insert any falshood or untruth, or omit any thing therein, either by cunning, or by grosse negligence, or in cause of instance, or promoted of Office, shall receive any reward or favour of either party, or be of counsell directly or indirectly with either of the parties in Suit, or in the execution of their Office, shall do ought else maliciously, or fraudulently, whereby the said Ecclesiasticall Judge or his proceedings may be slandered or defamed: We will, and ordain, that the said Register, or his Deputy or Substitute, offending in all, or any of the premisses, shall by the Bishop of the Diocess be suspended from the exercise of his Office, for the space of one, two, or three moneths, or more, according to the quality of his offence, and that the said Bishop shall assigne some other publique Notary to execute, and discharge all things pertaining to his Office, during the time of his said suspension.

# Canons Ecclesiasticall.

CXXXV.

*A certain rate of Fees due to all Ecclesiasticall Officers.*

**N**O Bishop, Suffragan, Chancellour, Commissary, Arch-deacon, Officiall, nor any other exercising Ecclesiasticall jurisdiction whatsoever, nor any Register of any Ecclesiasticall Courts, nor any Minister belonging to any of the said Officers or Courts, shall hereafter, for any cause incident to their severall Offices, take or receive any other or greater Fees, then such as were certified to the most Reverend Father in God, **J O H N** late Arch-bishop of *Canterbury*, in the yeare of our Lord God, 1597. and were by him ratified, and approved, under paine that every such Judge, Officer, or Minister offending herein, shall be suspended from the exercise of their severall Offices, for the space of sixe moneths for every such offence. Alwayes provided, that if any question shall arise concerning the certainty of the said Fees, or any of them: Then those Fees shall be held for lawfull, which the Arch-bishop of *Canterbury* for the time being shall under his hand approve, except the Statutes of this Realme before made, do in any particuler case expresse some other Fees to be due. Provided furthermore, that no Fee or money shall be received either by the Arch-bishop, or any Bishop or Suffragan, either directly, or indirectly, for admitting of any into sacred Orders, not that any other person or persons under the said Arch-bishop, Bishop, or Suffragan, shall for Parchment, Writing, Waxe, Sealing, or for any other respect thereunto appertaining, take above ten shillings, under such paines as are already by Law prescribed.

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*A Table*

## Constitutions, and

### CXXXVI.

*A Table of the rates of Fees to be set up in Courts, and Registers.*

**W**Ee do likewise constitute, and appoint, that the Registers belonging to every such Ecclesiasticall Judge, shall place two Tables, containing the severall rates, and sums of all the said Fees: One in the usuall place or Consistory where the Court is kept, and the other in his Registry, and both of them in such sort, as every man whom it concerneth, may without difficulty come to the view, and perusall thereof, and take a Copy of them: The same Tables to be set up before the Feast of the Nativity next ensuing. And if any Register shall faile to place the said Tables according to the tenour hereof, he shall be suspended from the execution of his Office, untill he cause the same to be accordingly done. And the said Tables being once set up, if he shall at any time remove or suffer the same to be removed, hidden, or any way hindred from sight, contrary to the true meaning of this constitution, he shall for every such offence, be suspended from the exercise of his Office for the space of six moneths.

### CXXXVII.

*The whole Fees for shewing Letters of Orders, and other Licences due but once in every Bishops time.*

**F**Orasmuch as a chief, and principall cause, and use of Visitation is, that the Bishop, Arch-deacon, or other assigned to visit, may get some good knowledge of the State, Sufficiency, and Ability of the Clergy, and other persons whom they are to visit: We thinke it convenient that every Parson, Vicar, Curate,

## Canons Ecclesiasticall.

Curate, School-master, or other person Licensed whosoever, do at the Bishops first Visitation, or at the next Visitation after his Admission, shew, and exhibit unto him his letters of Orders, Institution, & Induction, and all other his Dispensations, Licences, or Faculties whatsoever, to be by the said Bishop either allowed, or (if there be just cause) disallowed, and rejected, and being by him approved, to be as the custome is, signed by the Register, and that the whole Fees accustomed to be paid onely once in the whole time of every Bishop, and afterwards, but halfe of the said accustomed Fees, in every other Visitation during the said Bishops continuance.

### Apparitors.

CXXXVIII.

*The number of Apparitors restrained.*



Orasmuch as we are desirous to redresse such abuses, and aggrievances as are said to grow by Sumners or Apparitors: We thinke it meet that the multitude of Apparitors be (as much as is possible) abridged, or restrained. Wherefore we decree, and ordaine, that no Bishop, or Arch-deacon, or their Vicars or Officials, or other inferiour Ordinaries, shall depute, or have more Apparitors to serve their jurisdictions respectively, then either they or their Predecessors were accustomed to have thirty years before the publishing of these our present Constitutions. All which Apparitours shall by themselves faithfully execute their Offices,

## Constitutions, and

fices, neither shall they by any colour or pretence whatsoever, cause or suffer their Mandats to be executed by any Messengers or Substitutes, unlessse it be upon some good cause to be first knowne, and approved by the Ordinary of the place. Moreover, they shall not take upon them the Office of Promoters or Informers for the Court, neither shall they exact more or greater Fees then are in these our Constitutions formerly prescribed. And if either the number of the Apparitors deputed shall exceed the aforesaid limitation, or any of the said Apparitors shall offend in any of the premises, the persons deputing them, if they be Bishops, shall upon admonition of their superiour, discharge the persons exceeding the number so limited. If inferiour Ordinaries, they shall be suspended from the execution of their Office, untill they have dismissed the Apparitors by them so deputed, and the parties themselves so deputed, shall for ever be removed from the Office of Apparitors : And if being so removed, they desist not from the exercise of their said Offices, let them be punished by Ecclesiasticall censures as persons contumacious. Provided, that if upon experience the number of the said Apparitors be too great in any Diocesse, in the judgement of the Archbishop of *Canterbury* for the time being, they shall by him be so abridged, as he shall think meet, and convenient.

Authority

# Canons Ecclesiasticall:

## Authority of Synods.

CXXXIX.

*A Nationall Synod, the Church representative.*



Hosoever shall hereafter affirme, that the sacred Synod of this Nation in the Name of **C H R I S T**, and by the Kings Authority assembled, is not the true Church of **E N G L A N D** by representation; let him be excommunicated, and not restored, untill he repent, and publicly revoke that his wicked error.

CXL.

*Synods conclude as well the absent as the present.*

**W**Hosoever shall affirme, that no manner of person either of the Clergy or Laiety, not being themselves particularly assembled in the said sacred Synod, are to be subject to the Decrees thereof in causes Ecclesiastical (made and ratified by the Kings Majesties supream authority) as not having given their voyce unto them, lethem be Excommunicated, and not restored, untill he repent, and publicly revoke that his wicked error.

CXLI.

*Detravers of the Synod, censured.*

**W**Hosoever shall hereafter affirme, That the sacred Synod assembled as aforesaid, was a

## Constitutions, and

company of such persons as did conspire together against godly, and religious professors of the Gospel; and that therefore both they, and their proceedings, in making of Canons, and Constitutions in causes Ecclesiasticall by the Kings authority, as aforesaid, ought to be despised, and contemned, the same being ratified, confirmed, and enjoyned, by the said Regall power, Supremacy, and Authority: let them be excommunicated, and not restored, untill they repent, and publicly revoke that wicked error.



**W**e of Our Princely inclination, and Royall care for the maintenance of the present Estate, and Government of the Church of England, by the Lawes of this our Realme, now sealed, and established, having diligently, with great contentment, and comfort, read, and considered of all these their said Canons, Orders, Ordinances, and Constitutions agreed upon, as is before expressed; and finding the same such as We are perswaded will be very profitable not onely to Our Clergy, but to the whole Church of this Our Kingdome, and to all the true members of it (if they be well observed) Have therefore for Us, our Heirs and lawfull Successors, of our especiall Grace, certaine



## Canons Ecclesiasticall.

*taine knowledge, and meere Motion given, and by these presents do give our Royall assent, according to the forme of the said Statute or Act of Parliament aforesaid, to all, and every of the said Canons, Orders, Ordinances, and Constitutions, and to all, and every thing in them contained, as they are before written.*

*And furthermore, We doe not onely by our said Prerogative Royall, and Supream Authority in causes Ecclesiasticall, ratifie, confirme, and establissh by these our Letters Patents, the said Canons, Orders, Ordinances, and Constitutions, and all, and every thing in them contained, as is aforesaid, but do likewise propound, publish, and straightly enioyne, and command by our said Authority, and by these our Letters Patents, the same to be diligently observed, executed, and equally kept by all our loving Subjects of this our Kingdome, both within the Province of Canterbury, and Yorke, in all points wherein they do, or may concerne every or any of them according to this Our will, and pleasure hereby signified, and expressed: and that likewise for the better observation of them, every Minister, by what name or title soever he be called, shall in the Parish Church, or Chappell where he hath charge, read all*  
the

## Constitutions, and

*the said Canons, Orders, Ordinances, and Constitutions once every yeare, upon some Sundayes, or Holy dayes, in the afternoone before Divine Service, dividing the same in such sort, as that the one halfe may be read one day, and the other another day, the booke of the said Canons to be provided at the charge of the Parish betwixt this, and the Feast of the Nativity of our Lord God next ensuing : Straightly charging, and commanding all Arch-Bishops, Bishops, and all other that exercise any Ecclesiasticall Jurisdiction within this Realme, every man in his place to see, and procure (so much as in them lieth) all, and every of the same Canons, Orders, Ordinances, and Constitutions to be in all points duely observed, not sparing to execute the Penalties in them severally mentioned, upon any that shall wittingly or wilfully breake, or neglect to observe the same, as they tender the Honour of God, the peace of the Church, Tranquility of the Kingdome, and their duties, and services to Us, their KING, and Sovereigne.*

*In Witnesse, &c.*

